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**COUNTY OF SAN DIEGO • DEPARTMENT OF PLANNING AND LAND USE**

**DATE:** June 13, 2008

**TO:** Planning Commission

**SUBJECT:** DOMINGO RESIDENCE WIRELESS TELECOMMUNICATION FACILITY;  
MAJOR USE PERMIT P07-018, LAKESIDE COMMUNITY PLANNING  
AREA (District: 2)

**SUMMARY:****Overview**

This is a request for a Major Use Permit to authorize the construction and operation of an unmanned wireless telecommunication facility. The site is zoned A70 (Limited Agriculture) which permits Wireless Telecommunication Facilities under the Tier 4 Classification with the approval of a Major Use Permit pursuant to Section 6985A of the Zoning Ordinance. The facility includes a 35 foot tall flagpole with three panel antennas internally mounted and an associated equipment shelter. Associated equipment will consist of a Nortel CMO cabinet and will be enclosed by an 8 foot wide by 10 foot long by 8 foot high Concrete Masonry Unit (CMU) wall. The equipment shelter will be placed within a slope, with the top of the shelter measuring 1.75 feet below level grade and will be painted and textured to match the existing on-site residence. The project will occupy 80 square-feet of the 1.86 acre parcel. The project is subject to the Regional Land Use Element Policy Current Urban Development Area (CUDA) and General Plan Land Use Designation (1) Residential.

**Recommendation(s)****DEPARTMENT OF PLANNING AND LAND USE**

Grant the attached Form of Decision approving Major Use Permit P07-018 that makes the appropriate findings and includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance, Noise Ordinance, and State Law (Attachment B).

**Fiscal Impact**

N/A

**Business Impact Statement**

N/A

**SUBJECT:** DOMINGO RESIDENCE WIRELESS TELECOMMUNICATIONS FACILITY; MAJOR USE PERMIT P07-018, LAKESIDE COMMUNITY PLANNING AREA (District: 2)

**Advisory Board Statement**

N/A

**Involved Parties**

Owner: Justin and Krista Domingo

Agent: Franklin Orozco, agent for Cricket Wireless

See Ownership Disclosure (Attachment F)

**BACKGROUND:**

This is a request for a Major Use Permit to authorize the construction and operation of an unmanned wireless telecommunication facility. The project is classified as a Tier 4 site pursuant to Section 6985A of the Zoning Ordinance which requires the approval of a Major Use Permit. The applicant proposes to construct a 35 foot flagpole with three panel antennas internally mounted and an associated equipment shelter. Associated equipment will consist of a Nortel CMO cabinet and will be enclosed by an 8 foot wide by 10 foot long by 8 foot high CMU wall. The equipment shelter will be placed within a slope, with the top of the shelter measuring 1.75 feet below level grade and will be painted and textured to match the existing on-site residence.

The project site is characterized as residential. The subject parcel is 1.86 acres in size and is developed with a single family residence that is located within the eastern portion. The single family residence is located on the portion of the parcel with access to Valle Vista Road via a private road. The surrounding area can be categorized as residential and includes single family and rural residential land use types.

The project is subject to the A70 (Limited Agriculture) zone, which is a non-preferred zone for telecommunications facilities, pursuant to Section 6986 of the County of San Diego Zoning Ordinance. Additionally, the project is in a non-preferred location pursuant to Section 6986. Although the project is located within a non-preferred zone and location, the site was selected because no other preferred zones exist in the service area that meets the coverage objective. Pursuant to Section 6986B of the Wireless Telecommunication Facilities Ordinance, the applicant provided an alternate site analysis and a discussion of preferred zones and locations in the area and why they were not technologically or legally feasible. Due to the camouflaging of the facility and the lack of preferred zones and locations in the surrounding area, the proposed project has been determined to be preferable due to its aesthetic and community character compatibility as identified in the Land Use Analysis (Attachment G).

The County is preempted by the Federal Telecommunication Act from considering Electric Magnetic Radiation (EMR) when reviewing the proposed location of cellular telephone facilities. Therefore, we do not require information from the applicant on potential health effects from EMR associated with the project. Past experience by DPLU when inquiring about health effects from cellular providers have concluded that the amounts of EMR associated with these projects is low and could only cause possible health effects when persons are exposed for long periods of time and at very close distances to the facility. Generally, this information is available from the

**SUBJECT:** DOMINGO RESIDENCE WIRELESS TELECOMMUNICATIONS FACILITY; MAJOR USE PERMIT P07-018, LAKESIDE COMMUNITY PLANNING AREA (District: 2)

cellular providers upon request as it is also required from the Federal Communication Commission.

**PROJECT ISSUES:**

No project issues have been identified. For a complete discussion of the project, see the Land Use Analysis, Attachment G.

**WAIVERS AND EXCEPTIONS:**

No waivers or exceptions are required as part of Major Use Permit P07-018 approval.

**ENVIRONMENTAL STATUS:**

Pursuant to Section 15303 of the State California Environmental Quality Act Guidelines, the project is exempt from CEQA because it is an unmanned wireless telecommunications facility that involves the installation of Small, New Equipment and Facilities in Small Structures. A Notice of Exemption dated June 13, 2008, is on file at the Department of Planning and Land Use as Environmental Review Number 07-14-015. See Attachment D for the environmental documentation.

**PREVIOUS ACTIONS:**

N/A

**ACTIVITIES UNDERTAKEN WITHOUT APPROPRIATE PERMITS:**

N/A

**PUBLIC INPUT:**

On January 16, 2008, the Lakeside Community Planning Group voted Ayes -11 Noes - 0 Abstained - 0 (11-0-0) to recommend approval. See Attachment E for the Planning Group Action Sheet.

**DEPARTMENT REASONS FOR RECOMMENDATION:**

1. The project, as proposed, is consistent with the General Plan Land Use Designation – (1) Residential because civic uses are allowed if they support the local population.
2. The project, as proposed, is consistent with the Lakeside Community Plan because it does not interfere with the existing rural atmosphere of the community.
3. The project, as proposed, is consistent with the A70 (Limited Agriculture) Use Regulation that allows Wireless Telecommunications Facilities pursuant to Sections 6985 and 6986 of the Zoning Ordinance with the granting of a Major Use Permit.
4. The project, as proposed, complies with the California Environmental Quality Act and State and County CEQA Guidelines because the project is categorically exempt under Section 15303 (New Construction or Conversion of Small Structures). A Notice of

**SUBJECT:** DOMINGO RESIDENCE WIRELESS TELECOMMUNICATIONS FACILITY; MAJOR USE PERMIT P07-018, LAKESIDE COMMUNITY PLANNING AREA (District: 2)

Exemption dated June 13, 2008, is on file with the Department of Planning and Land Use as Environmental Review No. 07-14-015.

5. The Major Use Permit, as proposed, complies with all of the required findings of the Zoning Ordinance as described and incorporated in the attached Form of Decision, Attachment B.

cc: Franklin Orozco, 4031 Sorrento Valley Blvd., San Diego, CA 92121  
Justin and Krista Domingo, 10769 Valle Vista Road, Lakeside, CA 92040  
Lakeside Community Planning Group, P.O. Box 2040, Lakeside, CA 92040  
Richard Lantis, DPW Project Manager, Department of Public Works, M.S. O336  
Alyssa Maxson, Planning Manager, Department of Planning and Land Use, M.S. O650  
Lisa Robles, Case Closure, Department of Planning and Land Use, M.S. O650  
Carl Hebert, Case Tracking System, Department of Planning and Land Use, M.S. O650

**ATTACHMENTS:**

Attachment A – Planning Documentation  
Attachment B – Form of Decision Approving P07-018  
Attachment C – Photo Simulations and Alternate Site Analysis  
Attachment D – Environmental Documentation  
Attachment E – Public Documentation  
Attachment F – Ownership Disclosure  
Attachment G – Land Use Analysis

**CONTACT PERSON:**

Merry Tondro

Name

(858) 694-3716

Phone

(858) 694-3373

Fax

O650

Mail Station

Merry.Tondro@sdcounty.ca.gov.

E-mail

**AUTHORIZED REPRESENTATIVE:**

  
ERIC GIBSON, INTERIM DIRECTOR



# Attachment A

## Planning Documentation

# 5 - 6

## ADDITIONAL INFORMATION CASE SHEET

### APPLICATION

Meeting Date: 6-13-08

Type: Major Use Permit	Case No. P07-018
Owner: Justin and Krista Domingo	ENVIRONMENTAL STATUS: Exempt from CEQA, Section 15303, New Construction or Conversion of Small Structures
Agent: Franklin Orozco	Analyst: Tondro
Project Manager: Tondro	
Account No. 07-0090069	Log No. 07-14-015

### SITE/PROJECT DESCRIPTION

Community: Lakeside	Location: 10769 Valle Vista Rd., Lakeside, CA 92040; APN: 379-102-08	Thomas Bros.: 1231 / J1
<p>Project: This is a request for a Major Use Permit to authorize the construction and operation of an unmanned wireless telecommunications facility. The facility will include a 35 foot flagpole with three (3) panel antennas internally mounted and an associated equipment shelter. Associated equipment will consist of one Nortel CMO cabinet. The equipment will be enclosed by an 8 foot tall Concrete Masonry Unit block wall. The project will occupy approximately 80 square feet of the 1.86 acre parcel.</p> <p>Site: The site is developed with an average slope of less than 25 percent. The project is located on a parcel that is developed with a single family residence. The project will be located on the eastern portion of the property, in an area adjacent to the single family residence.</p>		
<b>SURROUNDING LAND USES &amp; ZONING:</b> <u>South:</u> A70, RS3, S88 <u>North:</u> A70, RS4 Residential	<u>South:</u> A70, RS3, S88 Residential, Specific Plan	<u>East:</u> RS4, RMH6 Rural Residential, Residential Mobilehome <u>West:</u> A70 Residential

### PROJECT STATISTICS

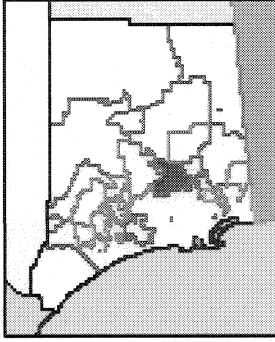
Total Area: 80ft <sup>2</sup>	Proposed Density: N/A																																
Lot Size: 1.86 acres	Number of Lots/Units: N/A																																
<table style="width: 100%;"> <tr> <th style="width: 40%;"><u>DISTRICT</u></th> <th style="width: 20%;"><u>NEAREST FACILITY</u></th> <th style="width: 20%;"><u>SERVICE LETTER</u></th> <th style="width: 20%;"><u>AVAILABILITY</u></th> </tr> <tr> <td>Sanitation: N/A</td> <td></td> <td>Yes <input type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> <tr> <td>Water: N/A</td> <td></td> <td>Yes <input type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> <tr> <td>Fire: FP-2 Policy</td> <td></td> <td>Yes <input checked="" type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> <tr> <td>Elementary School: N/A</td> <td></td> <td>Yes <input type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> <tr> <td>High School: N/A</td> <td></td> <td>Yes <input type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> <tr> <td>Other: N/A</td> <td></td> <td>Yes <input type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> <tr> <td>Sphere of Influence: N/A</td> <td></td> <td>Yes <input type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> </table>		<u>DISTRICT</u>	<u>NEAREST FACILITY</u>	<u>SERVICE LETTER</u>	<u>AVAILABILITY</u>	Sanitation: N/A		Yes <input type="checkbox"/>	No <input type="checkbox"/>	Water: N/A		Yes <input type="checkbox"/>	No <input type="checkbox"/>	Fire: FP-2 Policy		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Elementary School: N/A		Yes <input type="checkbox"/>	No <input type="checkbox"/>	High School: N/A		Yes <input type="checkbox"/>	No <input type="checkbox"/>	Other: N/A		Yes <input type="checkbox"/>	No <input type="checkbox"/>	Sphere of Influence: N/A		Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Elementary School: N/A		Yes <input type="checkbox"/>	No <input type="checkbox"/>																														
High School: N/A		Yes <input type="checkbox"/>	No <input type="checkbox"/>																														
Other: N/A		Yes <input type="checkbox"/>	No <input type="checkbox"/>																														
Sphere of Influence: N/A		Yes <input type="checkbox"/>	No <input type="checkbox"/>																														

### GENERAL PLAN

### ZONING

Community/Subregion: Lakeside Designation/Density: (1) Residential Regional Category: Current Urban Development Area (CUDA) Project/Plan Conformance: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Existing: A70 Proposed: N/A  Minimum Lot Size: 1 acre Maximum Density: 1du/acre Project/Zone Consistency: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
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# Domingo Residence P07-018 APN: 379-102-08 General Plan Map

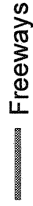


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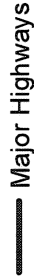
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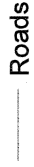
Site



Freeways



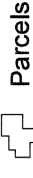
Major Highways



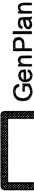
Roads



Community Planning Area



Parcels



GenPlan

General Plan Descriptions:

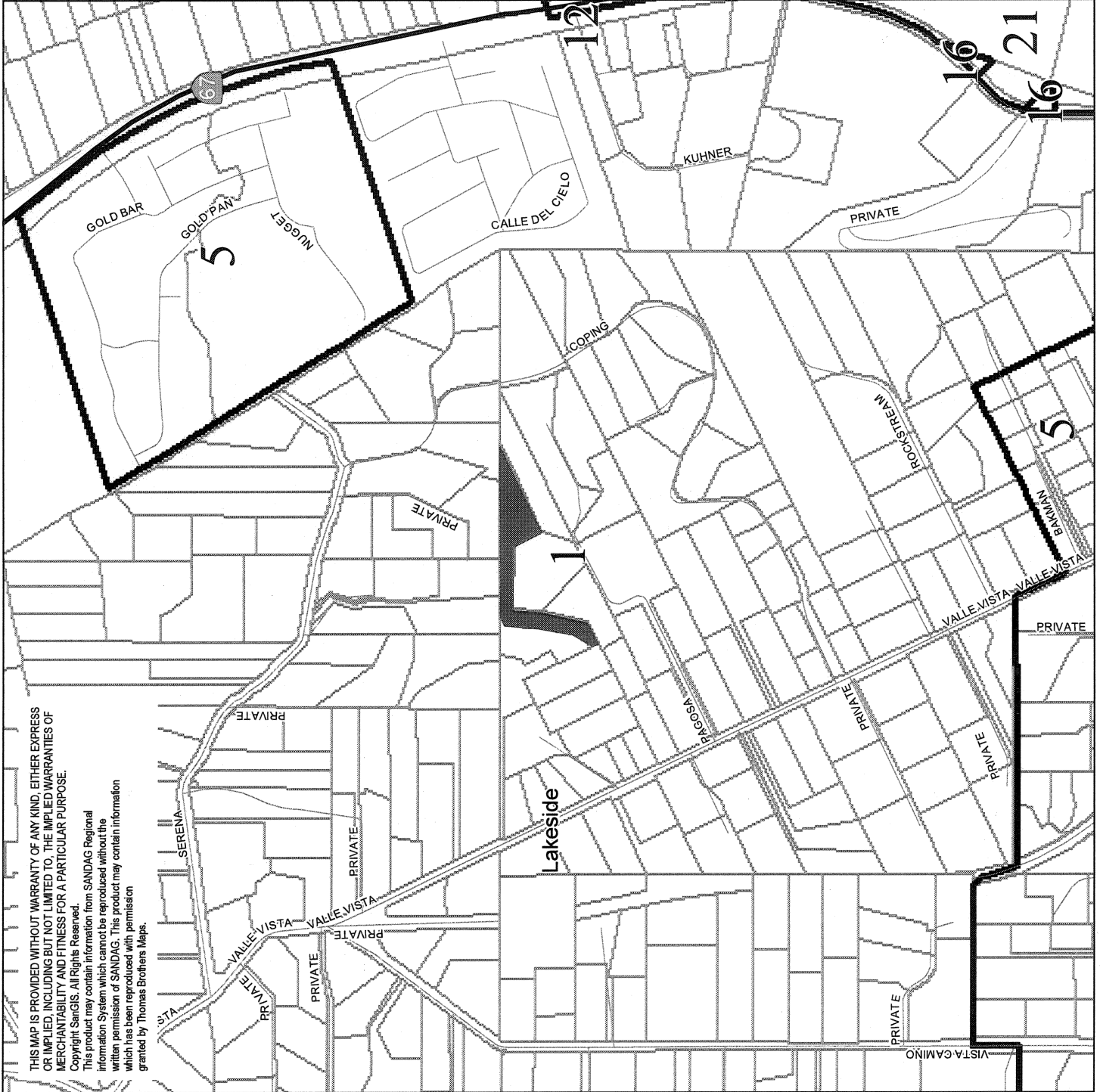
- 1 - RESIDENTIAL 1 DU/1.24 ACRES
- 5 - RESIDENTIAL 4.3 DU/ACRE
- 12 - NEIGHBORHOOD PROFESSIONAL
- 16 - GENERAL IMPACT INDUSTRIAL
- 21 - SPECIFIC PLAN AREA



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Feet



Date: 5/19/2008  
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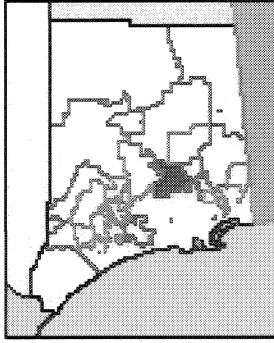


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# Domingo Residence P07-018 APN: 379-102-08 Zoning Map

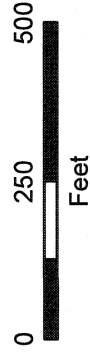


Legend 1:3,500,000

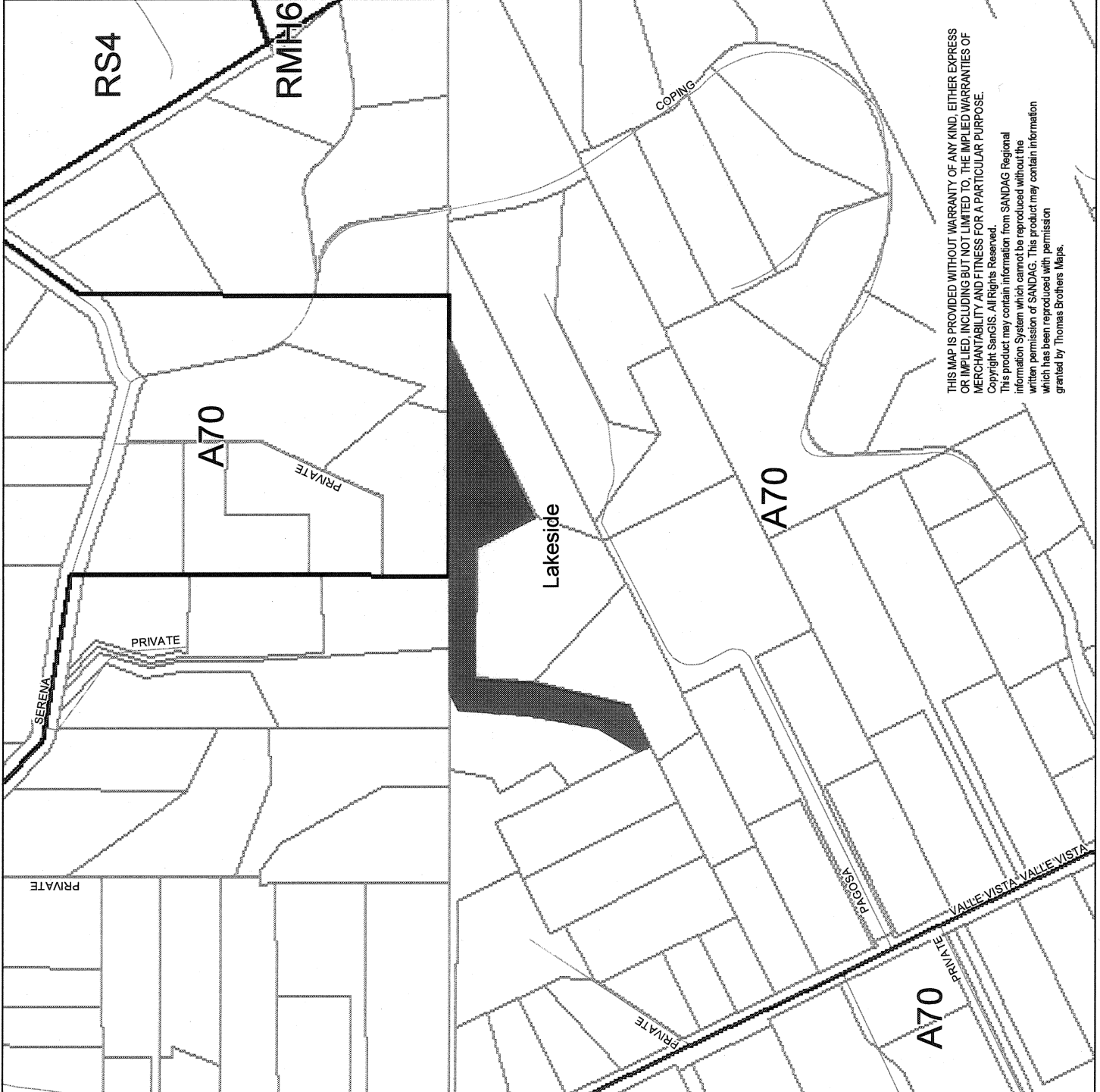
- Site
- Community Planning Area
- Zoning
- Parcels
- Freeways
- Major Highways
- Roads

Zoning:

- A70-LIMITED AGRICULTURE
- RS4 - RESIDENTIAL-SINGLE
- RMH6 - RESIDENTIAL MOBILEHOME

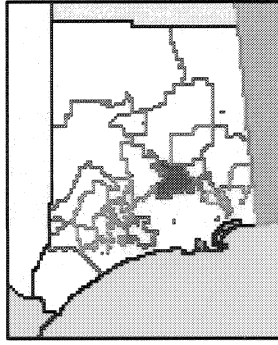


Date: 5/19/2008  
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# Domingo Residence P07-018 APN: 379-102-08 Vicinity Map

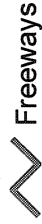


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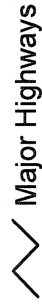
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Site



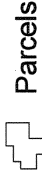
Freeways



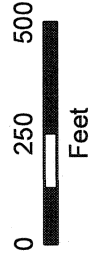
Major Highways



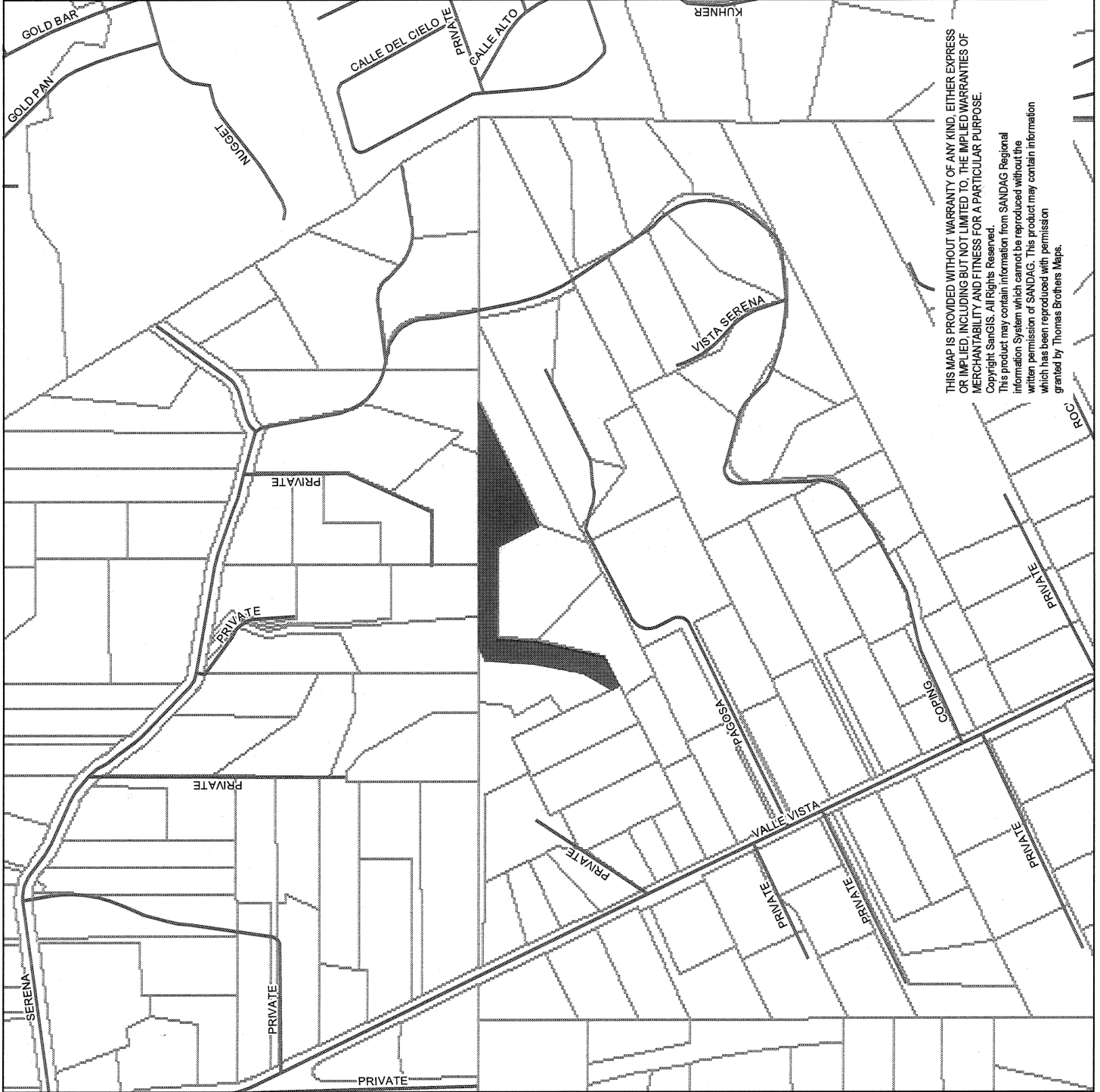
Roads



Parcels



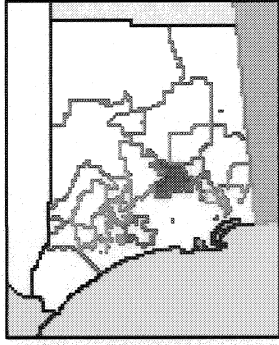
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# Domingo Residence P07-018 APN: 379-102-08 Aerial Map



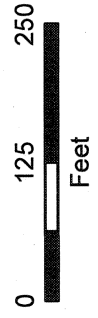
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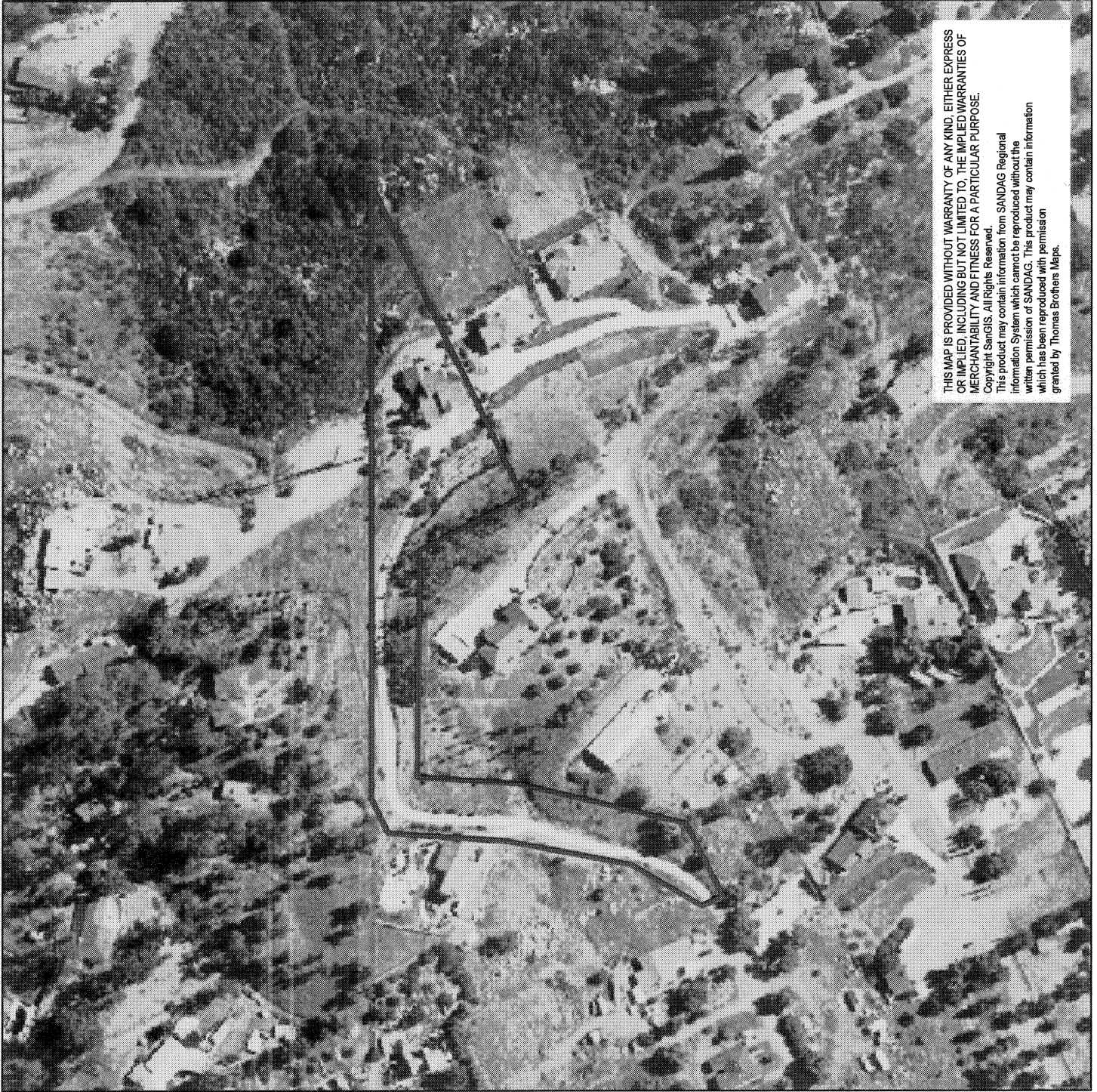


Site

Aerial Photo - Flown 2006



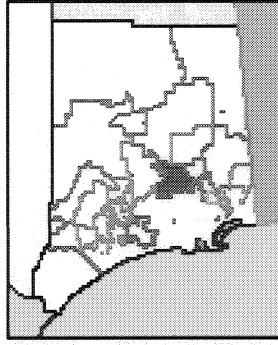
Date: 5/19/2008  
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# Domingo Residence P07-018 APN: 379-102-08 Cell Site Map



1:3,500,000

## Legend

- Cell Sites
- 2 Mile Buffer Zone
- Site
- Community Planning Area
- Freeways
- Major Highways

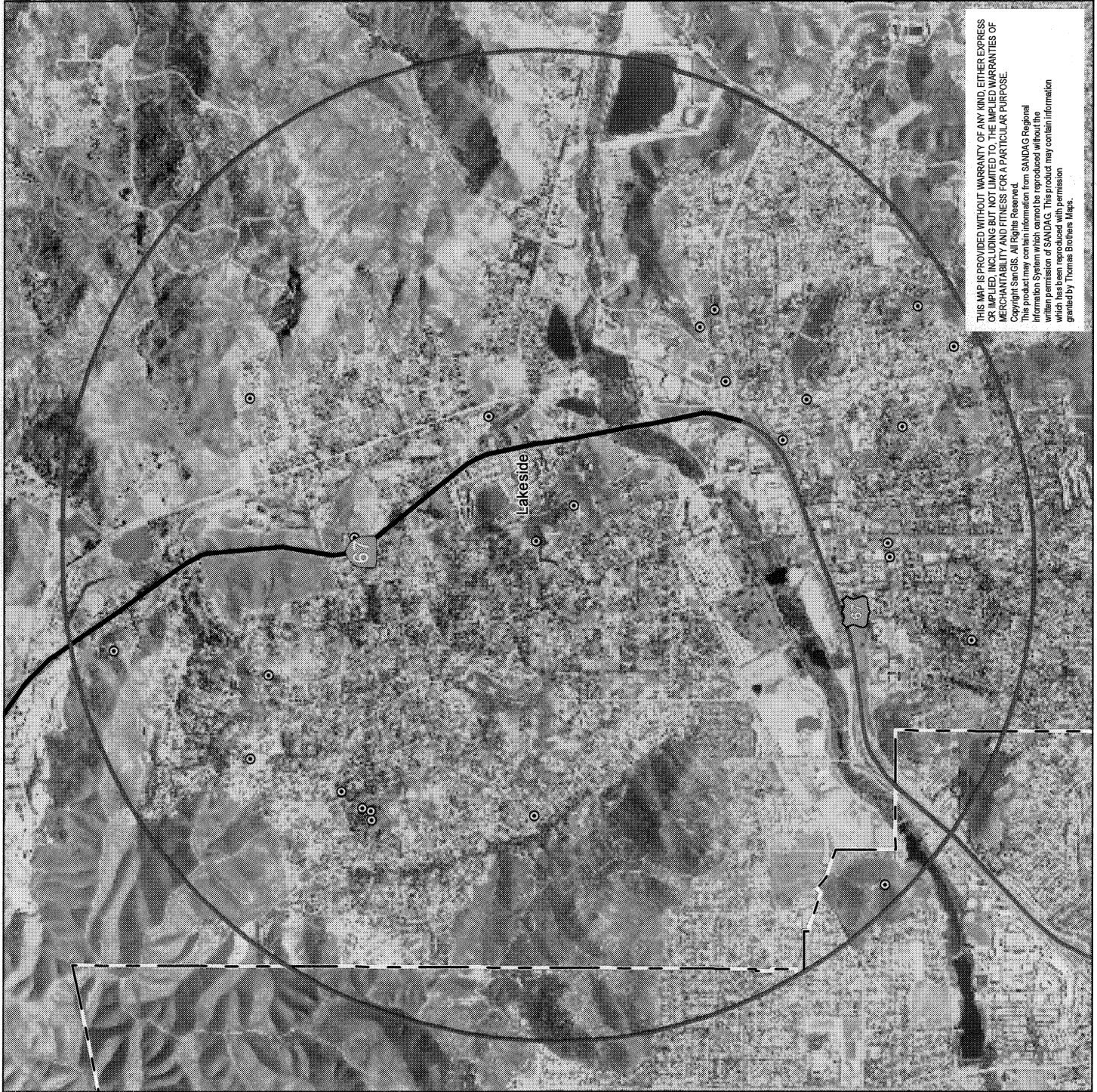
Aerial Photo - Flown 2006



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Feet



Date: 5/19/2008  
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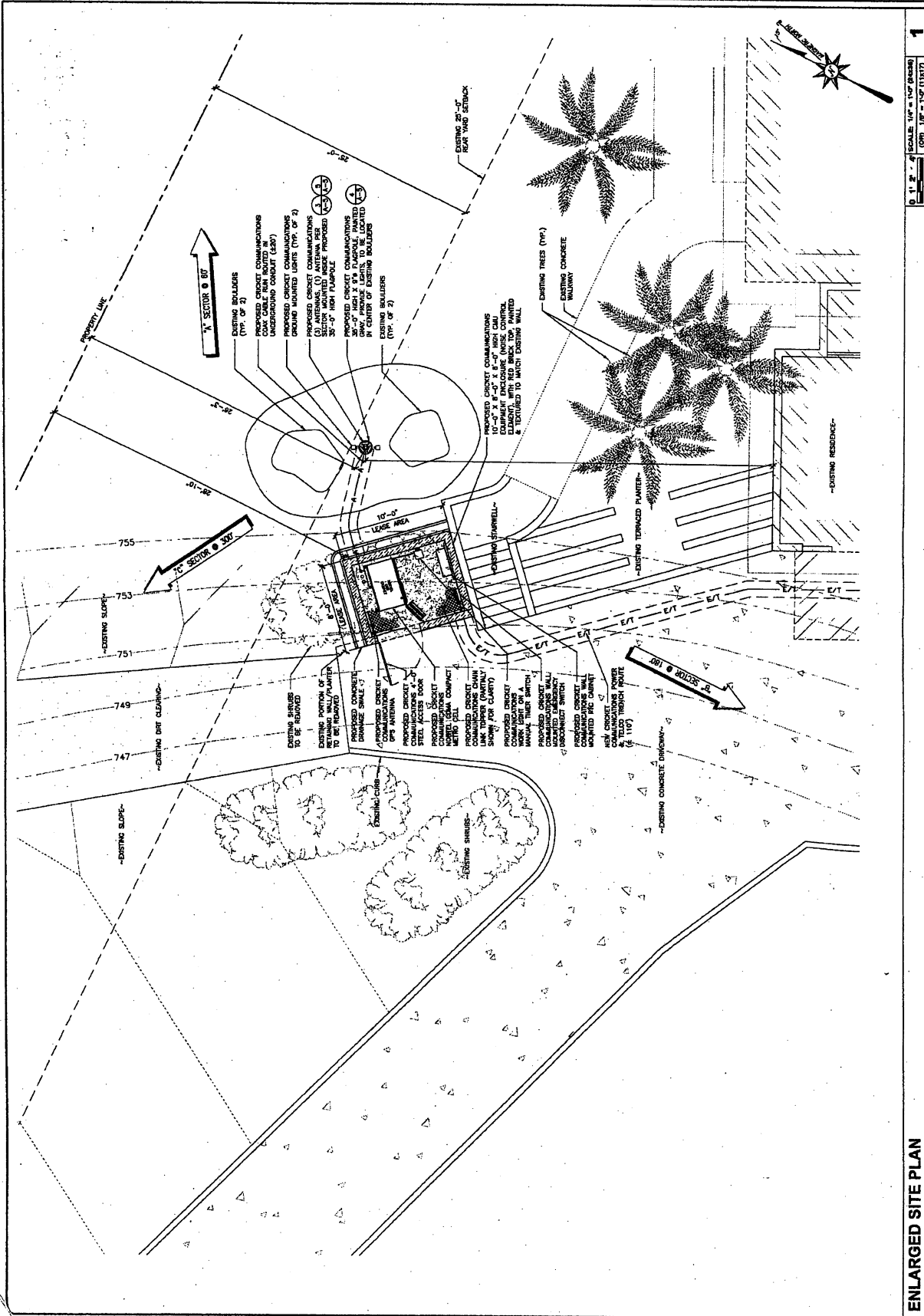
REVIEWS											
NO	DATE	DESCRIPTION	BY	NO	DATE	DESCRIPTION	BY	NO	DATE	DESCRIPTION	BY
2	10/19/08	PLANNED COMMENTS	MS								
1	10/7/07	100% ZONING	MS								
0	11/29/07	100% ZONING	MS								

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CLIENT NAME IS STRICTLY PROHIBITED.

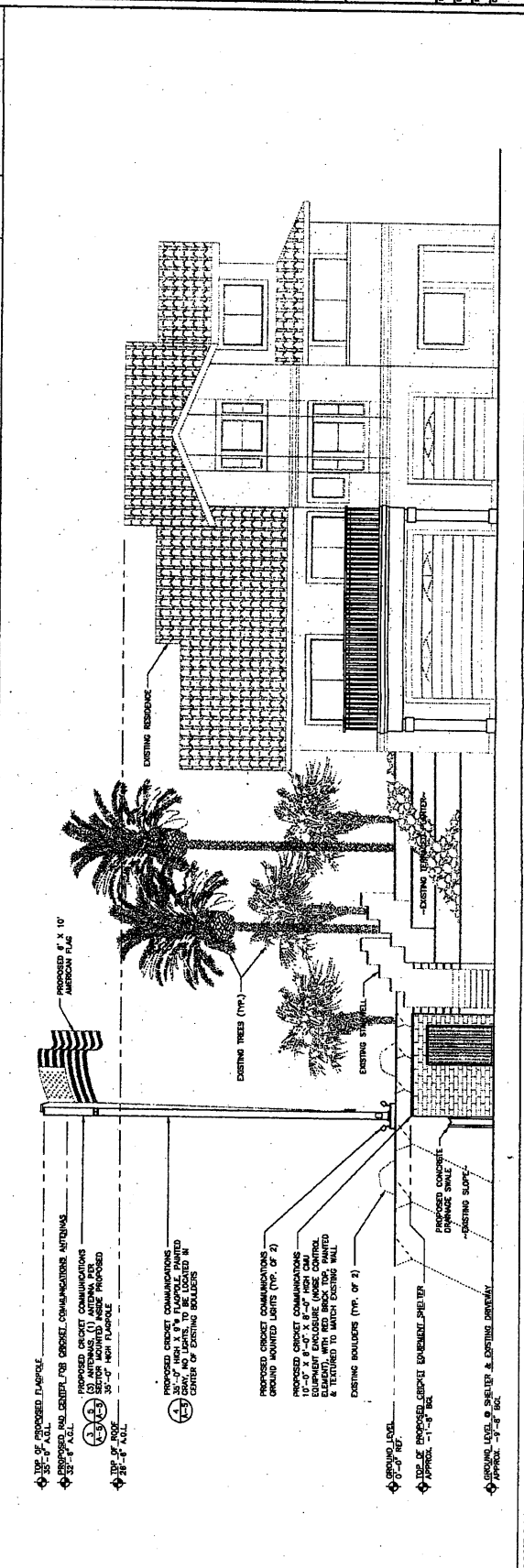
PROJECT No.	
SITE NAME:	DOMINGO PROPERTY
SITE NUMBER:	SAN-505-C
SITE ADDRESS:	10769 VALLE VISTA RD LAKESED, CA 92040
DESIGN TYPE:	RAW LAND
DRAWING TITLE:	ENLARGED SITE PLAN

**cricket**  
communications inc.

DATE	10/04/97	REPORT	03/03/98	REPORT BY	SA 7 3 6
AS NOTED	SA 101	BY	R. SANTIAGO	REPORT BY	SA 7 3 6
<div style="text-align: center;"> <h1>A-2</h1> <h2>2</h2> </div>					



**ENLARGED SITE PLAN**



### **WEST ELEVATION**

NO	DATE	DESCRIPTION	BY
2	01/01/96	FINANCE COMMENTS	REG
1	12/10/97	1099S 209690	REG
0	11/29/97	9909 209690	REG

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OF ANY INFORMATION CONTAINED HEREIN BY OTHER THAN THAT WHICH RELATES TO THE CLIENT NAME IS STRICTLY PROHIBITED.

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CLIENT NAME IS STRICTLY PROHIBITED.

**cricket**  
communications inc.

11

[illegible]

## **SOUTH ELEVATION**

0 1.5' 3' 5' SCALE: 2/16" = 1'-0" (24:240)  
(OR) 3/32" = 1'-0" (114:12)

EAST ELEVATION

0 1.5' 3' - 5'

SCALE: 3/16" = 1'-0" (25.4mm)

ARCHD. 5/10/00 -- 5/10/00 P.S. 1/1/00

2



# Attachment B

## Form of Decision

SAN    DIEGO    COUNTY    PLANNING    COMMISSION

5201 Ruffin Road

San Diego, CA 92123

June 13, 2008

Decision of the Planning Commission  
On the Application of Major Use Permit  
Number P07-018

GRANT, as per plot plan and elevations dated March 12, 2008, consisting of six sheets, as amended and approved concurrently herewith, a Major Use Permit, pursuant to Section 6985, 6986, and 7358 of the Zoning Ordinance, to authorize the location and use of an unmanned wireless telecommunications. The facility includes a 35 foot tall flagpole with three (3) panel antennas internally mounted and an associated equipment shelter. The associated equipment will be surrounded by an 8 foot wide by 10 foot long by 8 foot tall Concrete Masonry Unit (CMU) block wall. Pursuant to Section 6985A of the Zoning Ordinance, a Major Use Permit is required because the project site is located in an area zoned A70 (Limited Agriculture), is not located on a high voltage transmission tower, and is not covered by a Wireless Community Master Plan.

CONDITIONS

The following conditions are imposed with the granting of this Major Use Permit:

Building permit plans must conform in detail to this approved design. Failure to conform can cause delay to or denial of building permits and require formal amendment of this approved design. No waiver of the Uniform Building Code standards or any other code or ordinance is intended or implied.

- A. Prior to obtaining any building or other permit pursuant to this Major Use Permit, and prior to commencement of construction or use of the property in reliance on this Major Use Permit, the applicant shall:
1. Pay off all existing deficit accounts associated with processing this application to the satisfaction of the Department of Planning and Land Use and the Department of Public Works.
  2. Pay the Transportation Impact Fee (TIF) in accordance with County Ordinance # 9712.
  3. Provide evidence that vehicular access to the project site is approved to the satisfaction of the Lakeside Fire Protection District.

4. Obtain a Construction Permit for any work within the County road right-of-way. DPW Construction/Road right-of-way Permits Services Section should be contacted at (858) 694-3275 to coordinate departmental requirements. Also, before trimming, removing or planting trees or shrubs in the County Road right-of-way, the applicant must first obtain a permit to remove plant or trim shrubs or trees from the Permit Services Section.
  5. Furnish the Director of Planning and Land Use a letter from the Director of the Department of Public Works stating Conditions A.1 through A.4 have been complied with to that Department's satisfaction.
- B. Prior to any occupancy or use of the premises pursuant to this Major Use Permit, the applicant shall:
1. Comply with street lighting requirements as follows:
    - a. Transfer the property subject to this Major Use Permit (MUP 07-018 RPL) into Zone A of the San Diego County Street Lighting District without notice or hearing, and pay the cost to process such transfer.
  2. Furnish the Director of Planning and Land Use, along with their request for final inspection, a letter from the Director of Public Works, stating Condition B-1 has been completed to that department's satisfaction.
- C. The following conditions shall apply during the term of the Major Use Permit:
1. The applicant shall allow the County to inspect the property for which the Major Use Permit has been granted, at least once every twelve months, to determine if the applicant is complying with all terms and conditions of the Major Use Permit. If the County determines the applicant is not complying with the Major Use Permit terms and conditions the applicant shall allow the County to conduct follow up inspections more frequently than once every twelve months until the County determines the applicant is in compliance.
  2. The applicant is responsible for the maintenance and repair of any damage caused by them to on-site and off-site private roads that serve the project.
  3. All light fixtures shall be designed and adjusted to reflect light downward, away from any road or street, and away from adjoining premises, and shall otherwise conform to Section 6324 of The Zoning Ordinance.



4. No loudspeaker or sound amplification system shall be used to produce sounds in violation of the County Noise Ordinance (except for an electric bell or chime system which may be sounded between 9:00 a.m. and sunset one day per week and on religious holidays for churches only).
5. The parking areas and driveways shall be well maintained.
6. All landscaping shall be adequately watered and well maintained at all times.
7. Property owners shall agree to preserve and save harmless the County of San Diego and each officer and employee thereof from any liability or responsibility for any accident, loss, or damage to persons or property happening or occurring as the proximate result of any of the work undertaken to complete this work, and that all of said liabilities are hereby assumed by the property owner.
8. The applicant shall maintain the appearance of the facility and associated equipment shelter, as depicted in photo simulations in file P07-018, for the duration of the facility's operation.
9. All graffiti on any components of the facility shall be removed promptly in accordance with County regulations. Graffiti on any facility in the public right-of-way must be removed within 48 hours of notification.
10. All wireless telecommunications sites shall be kept clean and free of litter.
11. All equipment cabinets shall display a legible operator's contact number for reporting maintenance problems.
12. All wireless carriers who intend to abandon or discontinue the use of any wireless telecommunications facility shall notify the County of such intention no less than 60 days prior to the final day of use.
13. Wireless telecommunications facilities with use discontinued shall be considered abandoned 90 days following the final day of use.
14. All abandoned facilities shall be physically removed by the facility owner no more than 90 days following the final day of use or determination that the facility has been abandoned, whichever occurs first.
15. The County reserves the right to remove any facilities that are abandoned for more than 90 days at the expense of the facility owner.

16. Any abandoned site shall be restored to its natural or former condition. Grading and landscaping in good condition may remain.
  17. Noise from any equipment supporting the facility shall meet the requirements of the County's Noise Ordinance on an average hourly basis.
  18. Equipment cabinets and antenna structures shall be secured to prohibit unauthorized access.
  19. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
  20. Flag nighttime lighting shall remain in conformance with the County of San Diego Zoning Ordinance Section 6322.b. Nighttime Requirements.
- D. This Major Use Permit shall expire on June 13, 2010, at 4:00 p.m. (or such longer period as may be approved pursuant to Section 7376 of The Zoning Ordinance of the County of San Diego prior to said expiration date) unless construction or use in reliance on this Major Use Permit has commenced prior to said expiration date.

FINDINGS:

**CEQA FINDINGS**

It is hereby found that the proposed project is exempt from the California Environmental Quality Act as specified under Section 15303 of the State CEQA Guidelines for the reasons detailed in the Notice of Exemption Form dated June 13, 2008, on file with DPLU as Environmental Review Number 07-14-015.

**MSCP FINDINGS**

The "Multiple Species Conservation Planning Conformance Findings" dated April 18, 2008 on file with DPLU as Environmental Review Number 07-14-015 is hereby adopted.

**STORMWATER FINDINGS**

It is hereby found that the project proposed by the applicant has prepared plans and documentation demonstrating compliance with the provisions of the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance.

**RESOURCE PROTECTION ORDINANCE FINDINGS**

It is hereby found that the use or development permitted by the application is consistent with the provisions of the Resource Protection Ordinance.

**MAJOR USE PERMIT FINDINGS**

Pursuant to Section 7358 (see Section 7359 for findings required for permits filed pursuant to Regional Land Use Element 3.8) of The Zoning Ordinance, the following findings in support of the granting of the Major Use Permit are made:

- (a) The location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures with consideration given to

1. Harmony in scale, bulk, coverage, and density

The project is a Major Use Permit for the construction and operation of an unmanned wireless telecommunications facility that will consist of a 35 foot flagpole with three (3) internally mounted panel antennas. Associated equipment includes one Nortel CMO cabinet that will be located within an 8 foot wide by 10 foot long by 8 foot high CMU block wall. The equipment shelter will be located directly adjacent of single family residence and the driveway. The facility will be located 26.25-feet from the northern and nearest property line.

The project site is 1.86 acres in size and developed with a single family residence. The area in which the project site is located can be categorized as residential. The project is compatible with the surrounding area which is comprised of single family and rural residential land uses

because the project, as designed is stealth, and will blend into the project site with minimal effects to the surrounding area.

Scale and Bulk:

The subject parcel is developed with a single family residence. The proposed unmanned wireless telecommunications facility includes a 35 foot tall flagpole and associated 8 foot wide by 10 foot long by 8 foot tall CMU block equipment shelter, both of which are consistent with the height requirement of the Zoning Ordinance.

Photo simulations on file with Major Use Permit P07-018 (Attachment C) illustrate that the proposed flagpole and associated equipment are unobtrusive to the surrounding viewshed. The view from the surrounding area will be minimized because the project is designed to be completely stealth (the panel antennas will be internally mounted within a flagpole) and will blend into the surrounding vegetation and topography. The equipment will be surrounded by an 8 foot tall CMU block wall that will screen it from view and will be placed within a slope, with the top of the shelter measuring 1.75 feet below level grade. Surrounding property supports single family and rural residential land uses. The project is compatible with adjacent uses in terms of scale and bulk because of the stealth design, the existence of other vertical elements (utility towers, palm trees, and single family residences), and the location of the facility. Therefore, the project will not result in any adverse project or cumulative level effect on visual character or quality on-site or to the surrounding area.

Coverage:

The subject parcel is 1.86 acres in size. Surrounding land uses consist of single family and rural residential land uses with parcel sizes ranging from approximately 0.5 acres to over 25 acres in size. The project is located on a parcel that is developed with a single family residence. The lease area for this unmanned wireless telecommunications facility will total 80 square-feet (less than 1% lot coverage). Due to the small scale of the facility, the project will not contribute significantly to the existing site coverage, nor will it substantially increase the scale and bulk of the existing structures. As such, the addition of the telecommunications facility will maintain similar coverage with surrounding parcels. Considering the size of the subject lot compared with the size and location of the proposed structure, the size of the existing structures on the property, and the coverage characteristics of surrounding properties, the addition of the telecommunications facility will be consistent in terms of

coverage of the surrounding area and will not substantially increase the lot area coverage.

Density: The project is a Major Use Permit for the authorization of a telecommunications facility and does not have a residential component subject to density.

2. The availability of public facilities, services, and utilities

The project is located within the Lakeside Fire Protection District. The Lakeside District has certified availability of fire protection. In addition, the project has been reviewed and found to be FP-2 compliant. The project will not require water or sewer services. Electrical and telephone services are available on-site. All required utilities are therefore available for the project.

3. The harmful effect, if any, upon desirable neighborhood character

The project is a Major Use Permit for the authorization of a wireless telecommunications facility. The facility will include a 35 foot tall flagpole internally mounted with three (3) panel antennas and associated equipment. An associated equipment shelter will house one Nortel CMO cabinet and will be surrounded by an 8 foot wide by 10 foot long by 8 foot tall CMU block wall. The project site is located within a neighborhood that is predominately residential with single family and rural residential land uses surrounding the project site.

The project will not adversely affect the desirable neighborhood character because the project proposes a wireless telecommunications facility that is designed to be stealth. The equipment shelter will be located within a CMU enclosure to conceal it from the surrounding properties which will be placed adjacent to the existing on-site residence. Photo simulations on file with Major Use Permit P07-018 (Attachment C) illustrate that the line, form, and color of the facility will be largely consistent with other elements that make up the visual setting of the area, such as the utility towers, mature palm trees, and single family residences. The photo simulations demonstrate that the project is visually unobtrusive to the surrounding viewshed. The addition of a 35 foot tall flagpole will not have a significant visual impact on the neighborhood character because the project as designed is stealth and will be placed amidst numerous other vertical elements (utility towers, palm trees, and single family residences). Furthermore, the project was reviewed for noise impacts and determined to be consistent with the County Noise Ordinance. The project, as designed, will not cause any substantial, demonstrable negative aesthetic

effect to views from the surrounding area and roadways. Therefore, the project will not have a harmful effect on the neighborhood character.

4. The generation of traffic and the capacity and physical character of surrounding streets

The traffic generated from the project is expected to be one maintenance trip per month and will utilize a private access road connecting to Valle Vista Road for access. Existing parking is available on the property. The use associated with this Major Use Permit is compatible with the existing residential nature of the area because the number of maintenance trips will not substantially alter the expected traffic or physical character of the surrounding streets and will be compatible with adjacent uses. Therefore, the number of maintenance trips will not substantially increase or alter the physical character of Valle Vista Road.

5. The suitability of the site for the type and intensity of use or development which is proposed

The project proposes a Major Use Permit for the authorization of an unmanned wireless telecommunications facility. The subject property is 1.86 acres in size and is developed with access and utility services adequate to serve the proposed use. The installation of the telecommunication facility will not require significant alteration to the land form. The project, as designed, will be stealth and will not change the characteristics of the area and is suitable for this site and the type and intensity of uses and development. For reasons stated above, the proposed project will be compatible with adjacent land uses.

6. Any other relevant impact of the proposed use

None identified.

- (b) The impacts, as described in Findings (a) above, and the location of the proposed use will be consistent with the San Diego County General Plan.

The project is subject to the Regional Land Use Element Policy - Current Urban Development Area (CUDA), General Plan Land Use Designation – (1) Residential, and the Lakeside Community Plan. The project complies with the General Plan because civic uses are allowed if they support the local population. In addition, the project is consistent with Policy 4 of the Public Safety Element of the County General Plan that encourages the support, establishment, and continual improvement of Countywide telephone communications system, particularly with respect to enhancing emergency communications.

- (c) That the requirements of the California Environmental Quality Act have been complied with.

Pursuant to Section 15303 of the State CEQA Guidelines, the project is exempt from CEQA because it is an unmanned wireless telecommunications facility that involves the installation of Small, New Equipment and Facilities in Small Structures. It has been determined that the project is not in an environmentally sensitive location; will not have a cumulative effect on the environment; is not on a hazardous waste site; will not cause substantial change in the significance of a historical resource; and will not result in damage to a scenic highway

### **WIRELESS TELECOMMUNICATIONS FINDINGS**

The location and zoning, as described in Section 6986B and 6986C of the Wireless Telecommunications Facilities Ordinance, has been determined to be preferable due to aesthetic and community character compatibility.

The project is a non-preferred location in a non-preferred zone. Pursuant to Section 6986B of the Wireless Telecommunication Facilities Ordinance, the applicant provided an alternate site analysis and discussed preferred locations in the area and why they were not technologically or legally feasible. Due to the camouflaging of the facility and the lack of preferred zones in the surrounding area, the proposed project has been determined to be preferable due to its aesthetic and community character compatibility.

### **NOTICES:**

**NOTICE:** The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on June 13, 2008.

**NOTICE:** THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE, OR COUNTY LAWS, ORDINANCES, REGULATIONS, OR POLICIES INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

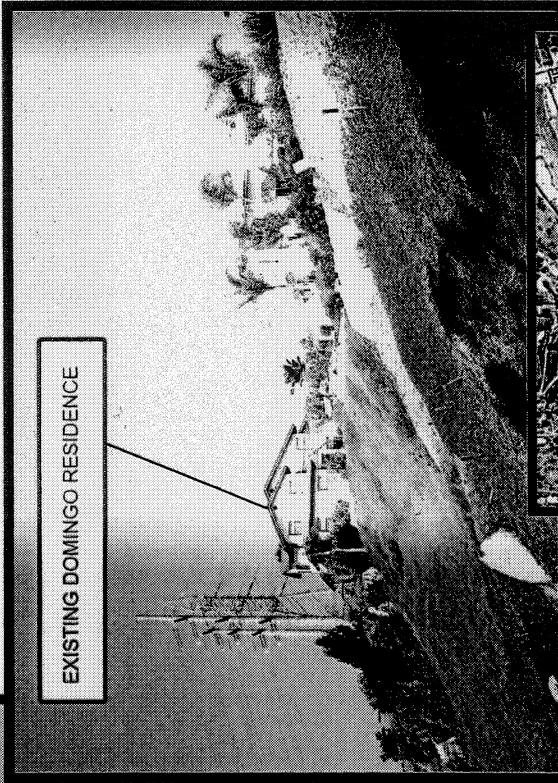
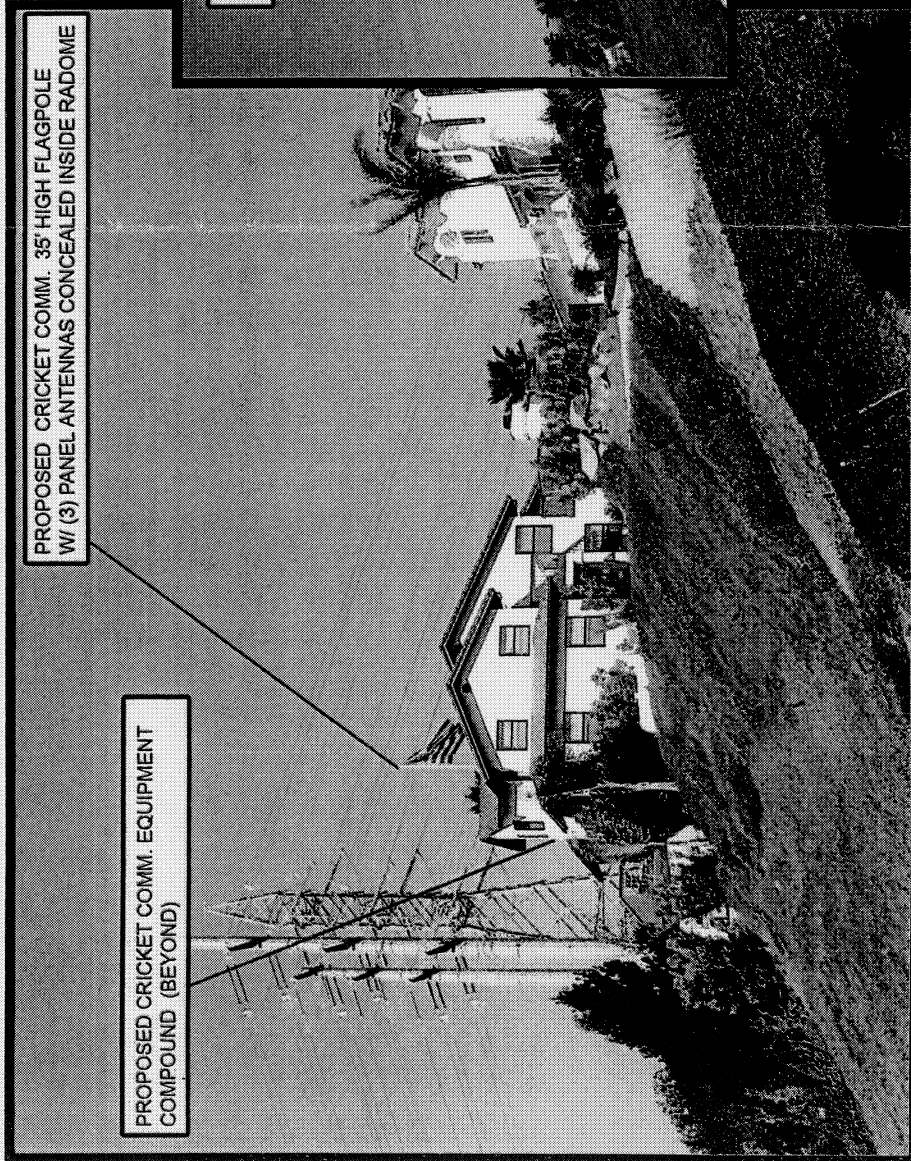
# Attachment C

Photo Simulations and  
Alternate Site Analysis



**SAN 505C Domingo Residence  
View One**

10769 Valle Vista Road, Lakeside, CA 92040



Existing

Proposed



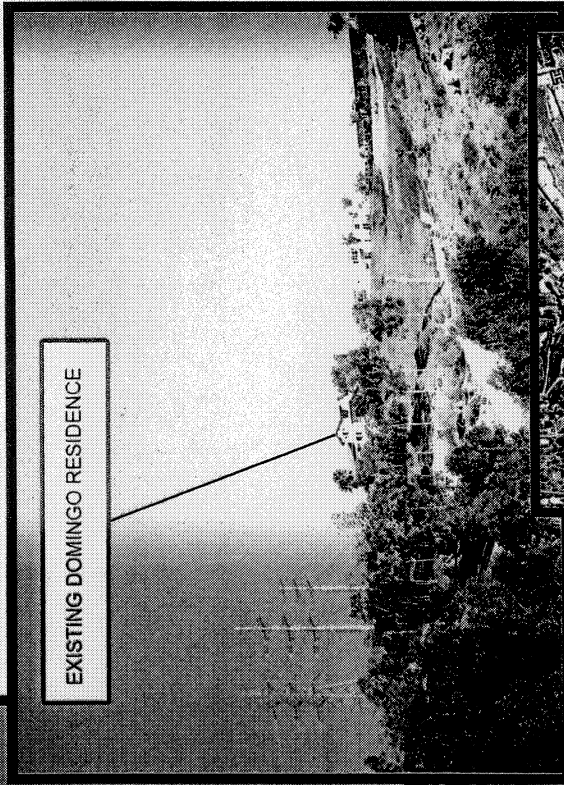
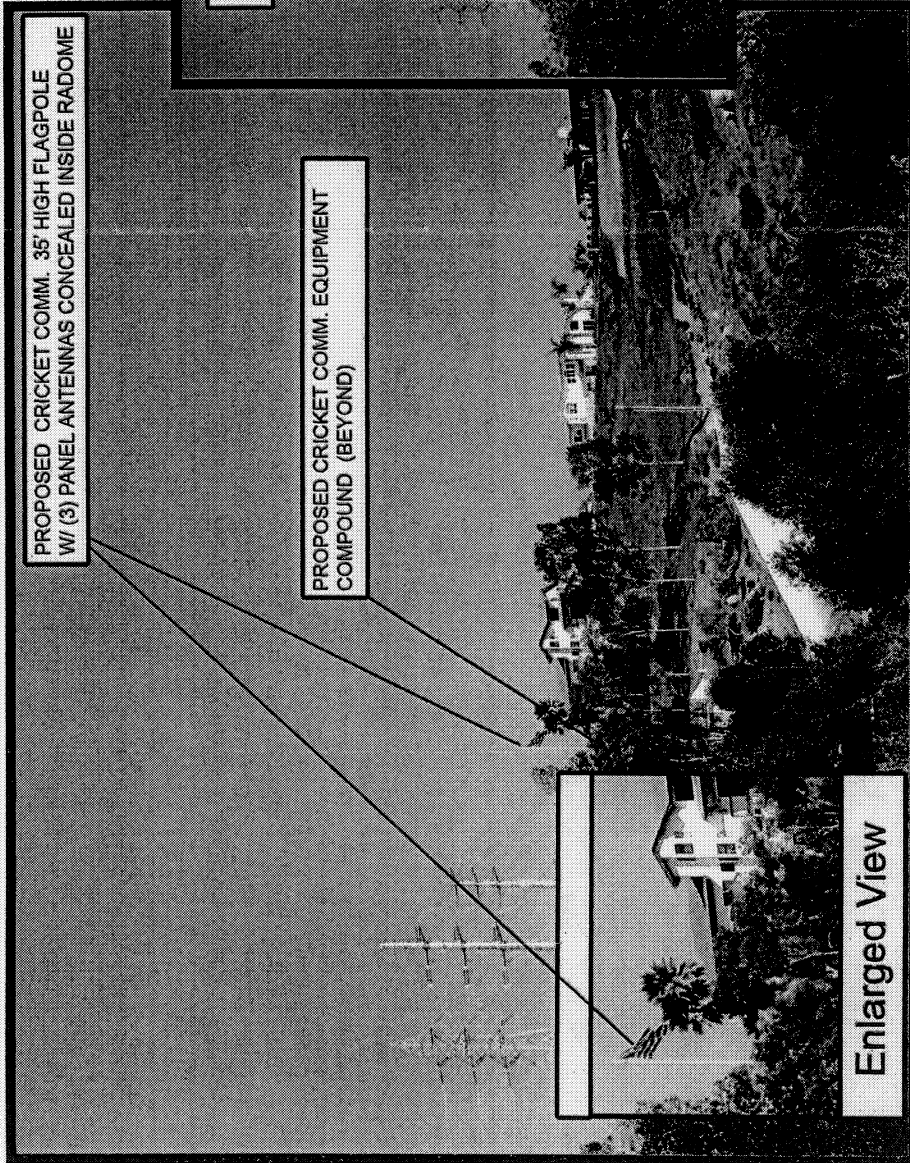
SDC DPLU RCVD 12-21-07

**P07-018**

**cricket**  
Comfortable Wireless



**SAN 505C Domingo Residence**  
**View Two**  
 10769 Valle Vista Road, Lakeside, CA 92040



Existing



Proposed

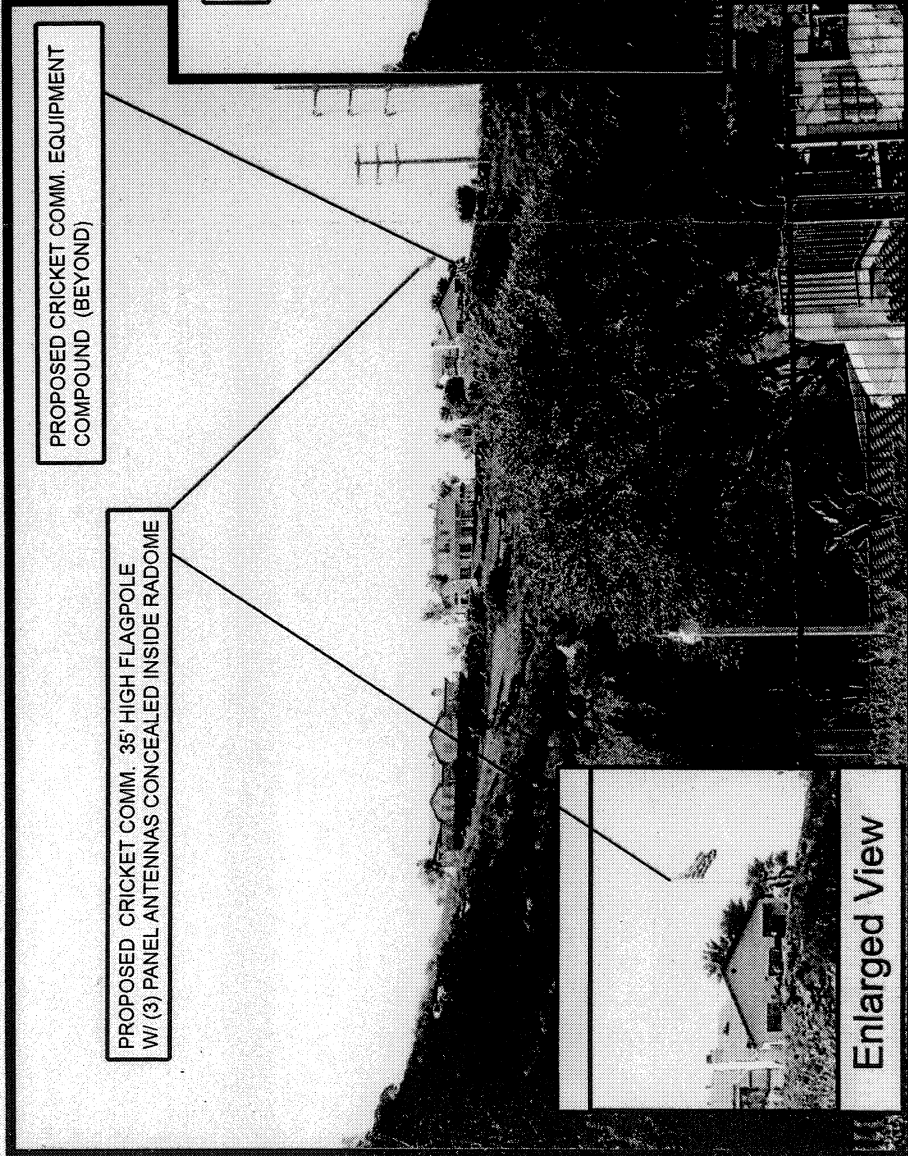
**cricket**  
 Comfortable Wireless





# SAN 505C Domingo Residence View Three

10769 Valle Vista Road, Lakeside, CA 92040



Existing

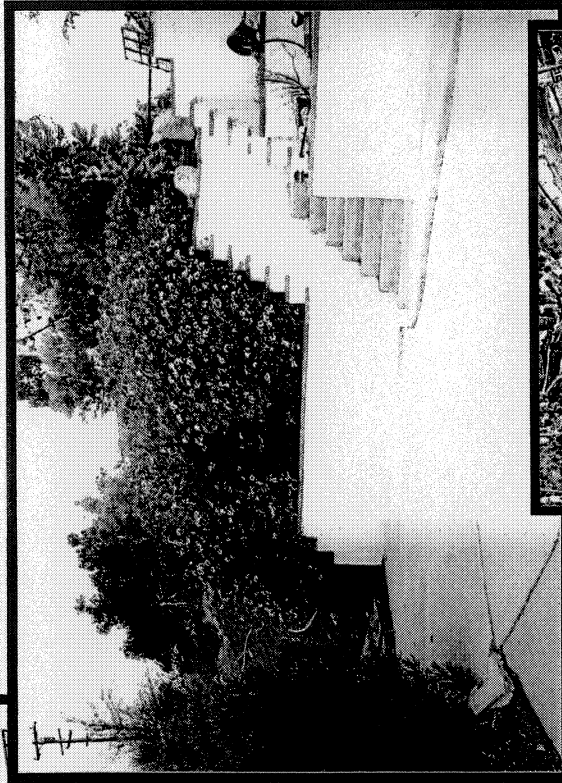
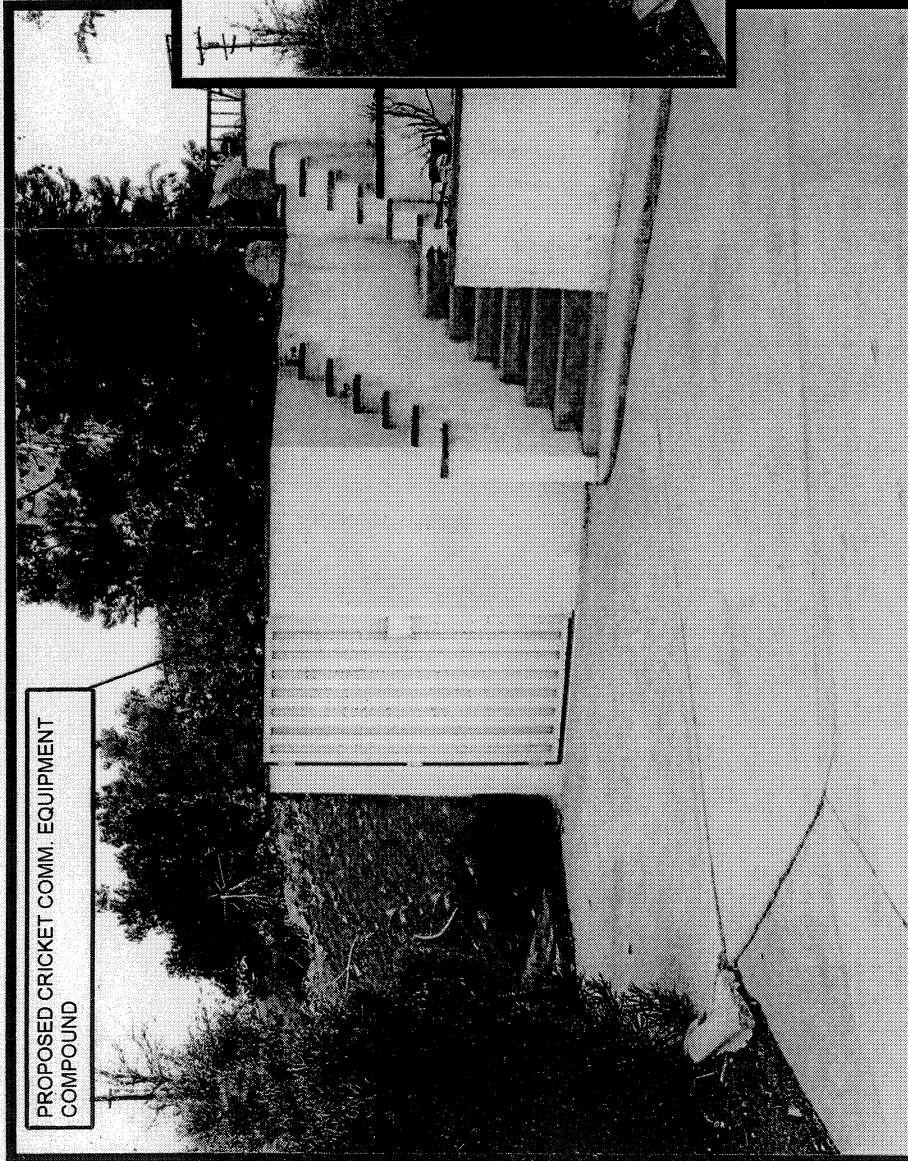
Proposed



**cricket**  
Comfortable Wireless



SAN 505C Domingo Residence  
View Four  
10769 Valle Vista Road, Lakeside, CA 92040



Existing

Proposed



Key Map

**cricket**  
Comfortable Wireless



## Cricket Operating Frequencies

Transmission Frequency: 1850-1990 MHz at 200 watts ERP per sector.

## Value of proposed facility

Cricket's overall cost for this project will be approximately \$140,000, which will consist for the installation of a new flagpole with antennas, equipment cabinet and CMU enclosure and extension of required utilities.

### Compliance with Section 6986

The proposed facility is not located on a preferred zone nor is in a preferred location pursuant to Section 6986 of the County's Wireless Telecommunication Facilities Ordinance. The following is a discussion of existing and approved wireless facilities, and alternative sites evaluated within 2-mile radius from the project site (see attached alternative sites map):

1. ZAP 03-079, 11811 Vista Valley Road (APN: 375-070-20-00) A Minor Use Permit was issued to Sprint PCS on October 21, 2003. This Sprint PCS site is located 1.5 miles Northwest of the proposed Cricket site at the intersection of Vista Valley Road and Rocosco Road. The property is zoned A70, Limited Agriculture.

**Evaluation:** The site is not located in a preferred zoned as defined by Section 6986 of the County Code. However, it is located in a preferred location, since co-location in non-residential zones is allowed to a maximum of three (3) towers each. Although this site could accommodate co-location on the same tower or with an additional tower, existing terrain blocks direct line-of-sight to Cricket's proposed coverage area. The site has no visibility to SR-67, Ashwood Street, Wildcat Canyon Road, and the community to the west of the proposed site. Therefore, this alternative site is not a technologically feasible location for Cricket's network.

2. ZAP 03-088, 11369 Manzanita Road (APN: 377-280-04-00). A Minor Use Permit was issued to Sprint PCS on October 18, 2003 for the installation of a wireless telecommunication facility. This site is located 1.3 miles Northwest of the proposed Cricket site on Manzanita Road just west of Rocosco Road. The property is zoned A70, Limited Agriculture.

**Evaluation:** The site is not located in a preferred zoned as defined by Section 6986 of the County Code. However, it is located in a preferred location, since co-location in non-residential zones is allowed to a maximum of three (3) towers each. Although this site could accommodate co-location on the same tower or with an additional tower, existing terrain blocks direct line-of-sight to Cricket's proposed coverage area. The site has no visibility to SR-67, Ashwood Street, Wildcat Canyon Road, and the community to the west of the proposed site. Therefore, this alternative site is not a technologically feasible location for Cricket's network.

3. ZAP 00-003, 10889 Oak Creek Drive (APN: 377-131-61-00). A Minor Use Permit was issued to Sprint PCS on December 4, 2000 for the installation of a wireless



telecommunication facility. The site is located 1.1 miles East of the proposed Cricket site on Oak Creek Drive, south of Eucalyptus Hills. The property is zoned A70, Limited Agriculture.

**Evaluation:** The site is not located in a preferred zoned as defined by Section 6986 of the County Code. However, it is located in a preferred location, since co-location or use of existing utility towers in non-residential zones are allowed to a maximum of three (3) towers each. Although this site could accommodate co-location or the use of existing utility tower, existing terrain blocks the line-of-sight to Cricket's proposed coverage area. The site has no visibility to SR-67, Ashwood Street, Wildcat Canyon Road, and the community to the west of the proposed site. Therefore, this alternative site is not a technologically feasible location for Cricket's network.

4. ZAP 03-021, 9706 Winter Gardens Boulevard (APN: 382-070-73-00). A Minor Use Permit was issued to Cingular Wireless on December 16, 2003 for the installation of a wireless telecommunication facility. The site is located 1.4 miles South of the proposed Cricket site on Winter Gardens Boulevard, south of Woodside Avenue. It is also located within ½ mile Southwest from an existing Cricket facility. The property is zoned C36, General Commercial.

**Evaluation:** The site is located in a preferred zoned as defined by Section 6986 of the County Code. It is also a preferred location, since co-location and use of existing commercial buildings is a preferred alternative design option. Although this site could accommodate co-location or use of existing commercial structures, the site is approximately 400 feet lower in elevation compared to the proposed Cricket site. Existing terrain also blocks line-of-sight to Cricket's proposed coverage area. The site has no visibility to SR-67 or to Wildcat Canyon Road. It is also distant from the coverage objective and in an area where Cricket has an existing facility. Therefore, this alternative site is not a technologically feasible location for Cricket's network.

5. S 06-008, 9672 Winter Gardens Boulevard (APN: 382-070-77-00). A Site Plan is currently being processed for Sprint PCS/Nextel for the installation of a wireless telecommunication facility. The site is located 1.4 miles South of the proposed Cricket site on Winter Gardens Boulevard, south of Woodside Avenue. It is also located within ½ mile Southwest from an existing Cricket facility. The property is zoned C36, General Commercial.

**Evaluation:** The site is located in a preferred zoned as defined by Section 6986 of the County Code. It is also a preferred location, since co-location and use of existing commercial buildings is a preferred alternative design option. Although this site could accommodate co-location or use of existing commercial structures, the site is approximately 400 feet lower in elevation compared to the proposed Cricket site. Existing terrain also blocks line-of-sight to Cricket's proposed coverage area. The site has no visibility to SR-67 or to Wildcat Canyon Road. It is also distant from the coverage objective and in an area where Cricket has an existing facility. Therefore, this alternative site is not a technologically feasible location for Cricket's network.

6. P 06-042, 10046 River Street (APN: 394-022-18-00). A Major Use Permit was issued to Cricket Communications on June 4, 2007 for the installation of a wireless telecommunication facility. The property is zoned RU29, Residential Urban.

**Evaluation:** The site is not located in a preferred zoned as defined by Section 6986 of the County Code. Since this is an existing Cricket facility, this site will not meet the coverage objectives by the proposed site.

7. S 01-025, 12584 Maplevue Street (APN: 392-120-18-00). A Site Plan Approval was issued to Cingular Wireless on January 8, 2002 for the installation of a wireless telecommunication facility. The site is located 1-mile Southeast of the proposed Cricket Facility on Maplevue Street, just east of Vine Street. The property is zoned C37, General Commercial.

**Evaluation:** The site is located in a preferred zoned as defined by Section 6986 of the County Code. It is also a preferred location, since co-location or use of existing commercial buildings is a preferred alternative design option. Although this site could accommodate co-location or the use of existing commercial structures, the site approximately 350 feet lower in elevation than the proposed Cricket site. Existing terrain also blocks line-of-sight to Cricket's proposed coverage area. The site has limited visibility to SR-67 and to Wildcat Canyon Road. Visibility to the community west of the proposed Cricket site is also blocked by existing hillside. Therefore, this alternative site is not a technologically feasible location for Cricket's network.

8. ZAP 98-023, 10305 Ashwood Street (APN: 392-130-08-00). A Minor Use Permit was issued to Nextel Communications on December 11, 1998 for the installation of a wireless telecommunication facility. The site is located 1.1 miles Southeast of the proposed Cricket facility on Ashwood Drive, just north of Maplevue Street. The property is zoned RR1, Rural Residential.

**Evaluation:** The site is located not in a preferred zoned as defined by Section 6986 of the County Code. It is also not a preferred location, since co-location is only allowed in zones other than residential, unless approved by the Planning Director and provided is consistent with community character. This site is approximately 175 feet lower in elevation compared to the proposed Cricket site. Although this site has visibility to SR-67 and Wildcat Canyon Road, visibility to the community West of the proposed site is blocked by terrain. Therefore, this alternative site is only partially feasible for Cricket's network.

9. ZAP 03-002, 11479 SR-67 (377-262-01-00). A Minor Use Permit was issued to Cingular Wireless on November 23, 2003 for the installation of a wireless telecommunication facility. The site is located 0.8 miles North of the proposed Cricket site on the eastside of SR-67 and south of San Vicente Road. The property is zoned A70, Limited Agriculture.

**Evaluation:** The site is not located in a preferred zoned as defined by Section 6986 of the County Code. However, it is located in a preferred location, since co-location in non-residential zones is allowed to a maximum of three (3) towers each. Although this site could accommodate co-location on the same tower or with installation of an

additional tower, only partial coverage is achieved to SR-67. The site has no visibility to Ashwood Street, Wildcat Canyon Road, and the community to the west of the proposed site. Therefore, this alternative site is not a technologically feasible location for Cricket's network.

**10.** ZAP 01-046, 12212 Copping Place (APN: 379-102-38-00). A Minor Use Permit was issued to AT&T on November 12, 2002 for the installation of a wireless telecommunication facility. The site is located 0.2 miles Southeast of the proposed Cricket site on Copping Place, east of Vista Serena. The property is zoned A70, Limited Agriculture.

**Evaluation:** The site is not located in a preferred zoned as defined by Section 6986 of the County Code. However, it is located in a preferred location, since co-location on non-residential zones is allowed to a maximum of three (3) towers each. The existing facility is a roof-mounted installation behind parapet walls. Although this site may be able accommodate Cricket's facility, existing structures and terrain may partially blocked the coverage to SR-67 and to the community west of the proposed Cricket site. Installation of a separate tower could be feasible, but equivalent in design to the proposed Cricket site.

**11.** SDG&E Tower, Serena Lane (APN: 377-230-09-00) – This site is located directly to the North of the subject site was Cricket's primary candidate. An application for a Major Use Permit (MUP 06-043) was filed with the County March 30, 2006. The site is zoned A-70, Limited Agricultural. It is presently developed with SDG&E High Voltage Transmission towers with overhead lines that run on an East to West direction. Cricket's proposed facility was to utilize the existing SDG&E lattice tower for three panel antennas with equipment inside a masonry wall enclosure.

**Evaluation:** This site is not located in a preferred zone. However, it's a preferred location, since co-location or use of existing high voltage utility towers in zones other than residential is a preferred design option. Cricket pursued a permit for several months and eventually the project dropped due to a restricted access rights to the project site. Therefore, this site is not legally feasible due to restrictive access.

**12.** Lakeside Water District water tank (APN: 392-070-08-00). This site located south of the subject site and at the end of Kuhner Way. The property is improved with a single water tank. The property is zoned A70, Limited Agriculture.

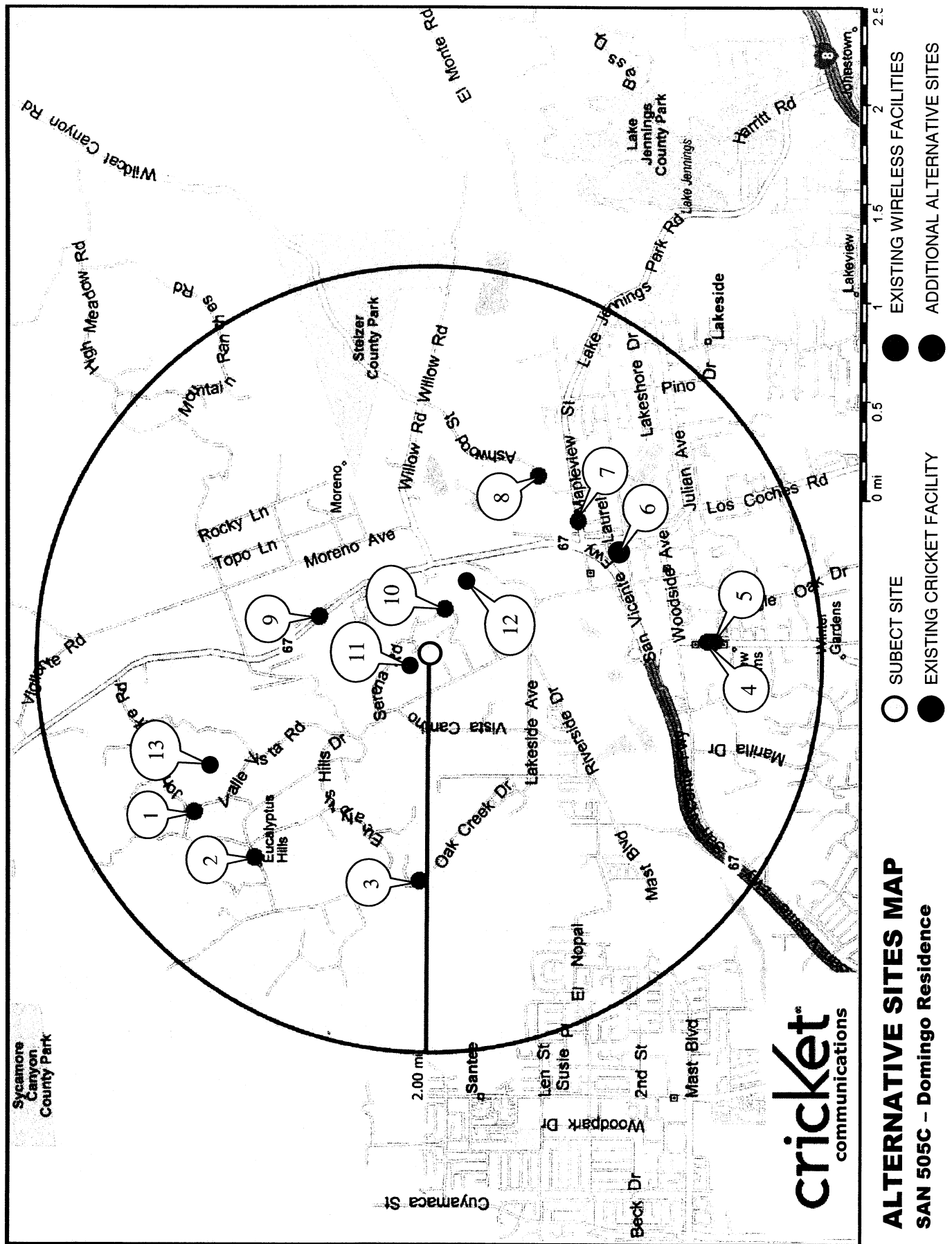
**Evaluation:** This site is not located in a preferred zone. However, it's a preferred location since co-location in zones other than residential is allowed to a maximum of three (3) towers each. The site is approximately 100 feet lower in elevation compared to the proposed Cricket site and is below the existing ridgeline limiting the coverage only to SR-67 and Wildcat Canyon Road. Line-of-site to the West is also blocked by the existing hillside. Therefore, this alternative site is not a technologically feasible location for Cricket's network since only partial coverage can be achieved.



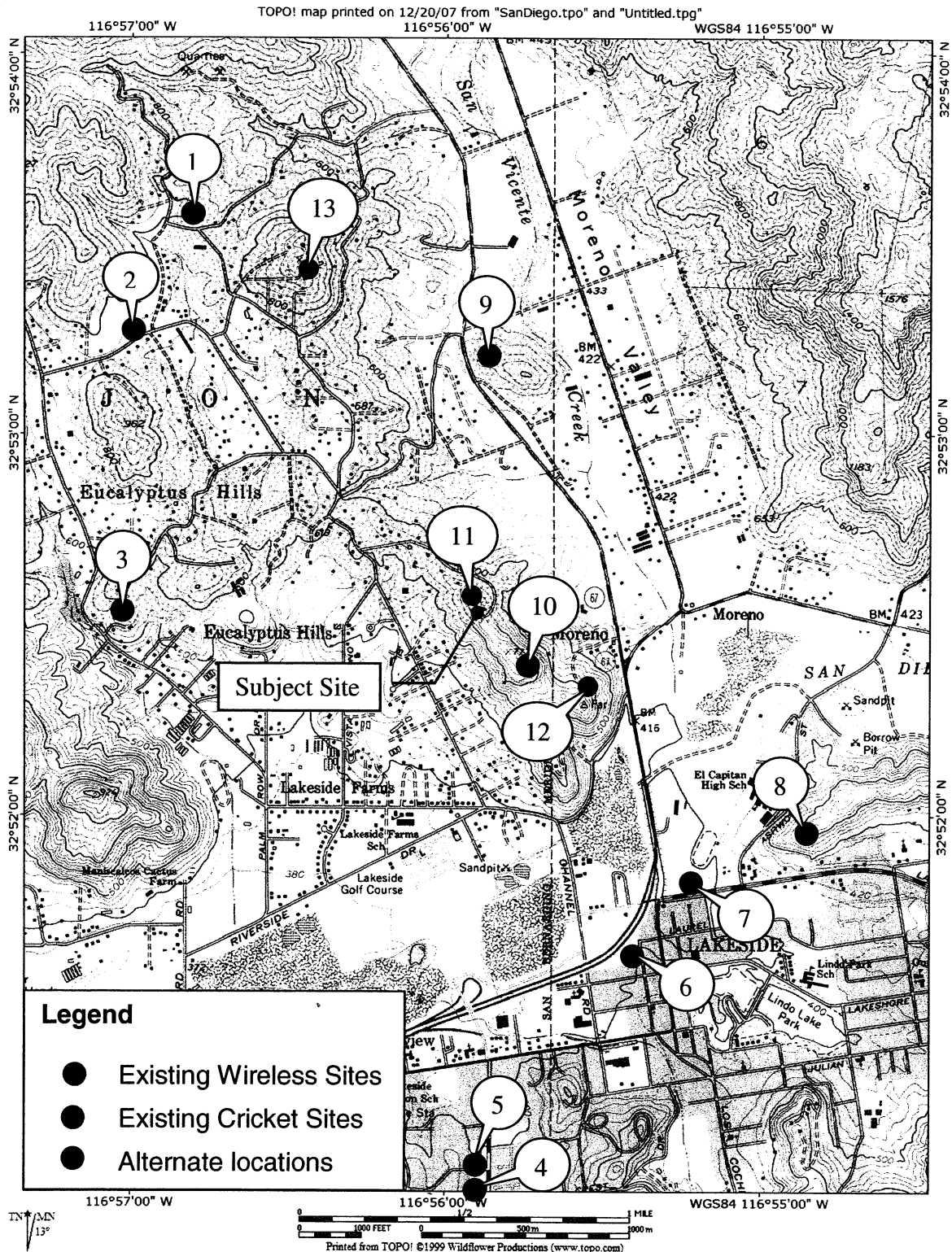
13. Lakeside Water District water tank (APN: 377-370-01-00). This site located 1.25 miles Northeast of the proposed Cricket site on Manzanita Road. The property is improved with two water tanks. The property is zoned A70, Limited Agriculture.

**Evaluation:** This site is not located in a preferred zone. However, it's a preferred location since co-location in zones other than residential is allowed to a maximum of three (3) towers each. The site is comparable in elevation to the proposed Cricket site; however, it is distant from the proposed coverage area and existing terrain blocks line-of-sight to Wildcat Canyon Road and the community west of the proposed Cricket site. Therefore, this alternative site is not a technologically feasible location for Cricket's network since only partial coverage can be achieved.

In summary, most of the alternative locations examined above are inferior and technologically infeasible for Cricket's coverage objectives. Of the two feasible alternatives, one was ruled out due to access restrictions. The other site is comparable to the proposed Cricket site and would require installation of a similar structure. The proposed Cricket facility at the Domingo property offers the same level of line-of-sight as the original SDG&E tower and meets Cricket's coverage objectives. The proposed project includes the installation of three panel antennas within a 9" diameter flagpole. As demonstrated by the photo simulations, the proposed flagpole will be in harmony, and compatible in scale with the existing vertical elements located adjacent to the project site. The proposed project will not be view by the general public as a telecommunication structure, since all aspects of the project will be concealed. Additionally, the Lakeside Community Planning Group and local residents are in full support of the project.



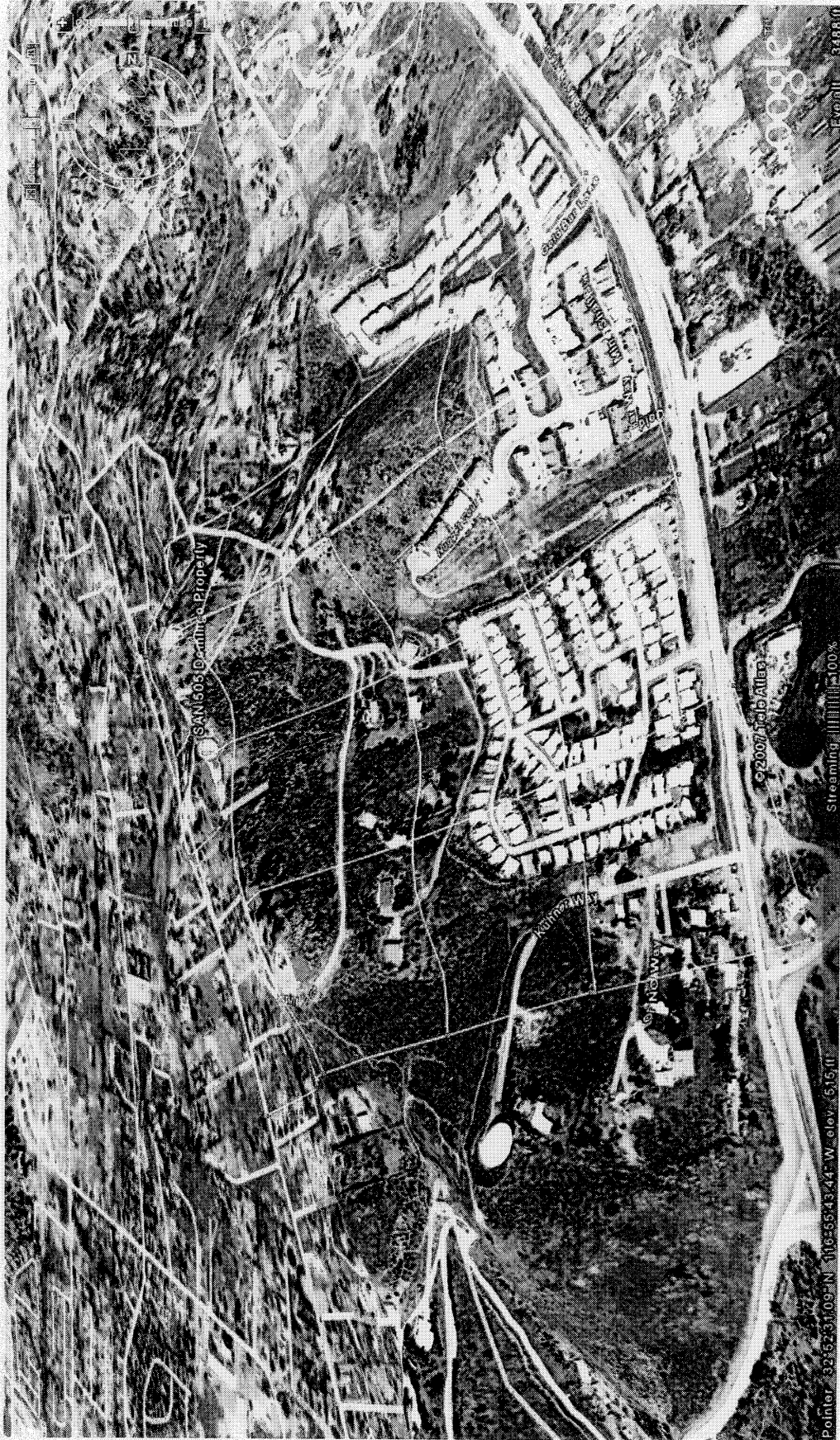
Alternative Sites & Topographical Map  
 SAN 505C – DOMINGO PROPERTY  
 10769 Valle Vista Road, Lakeside (APN: 379-102-08-00)



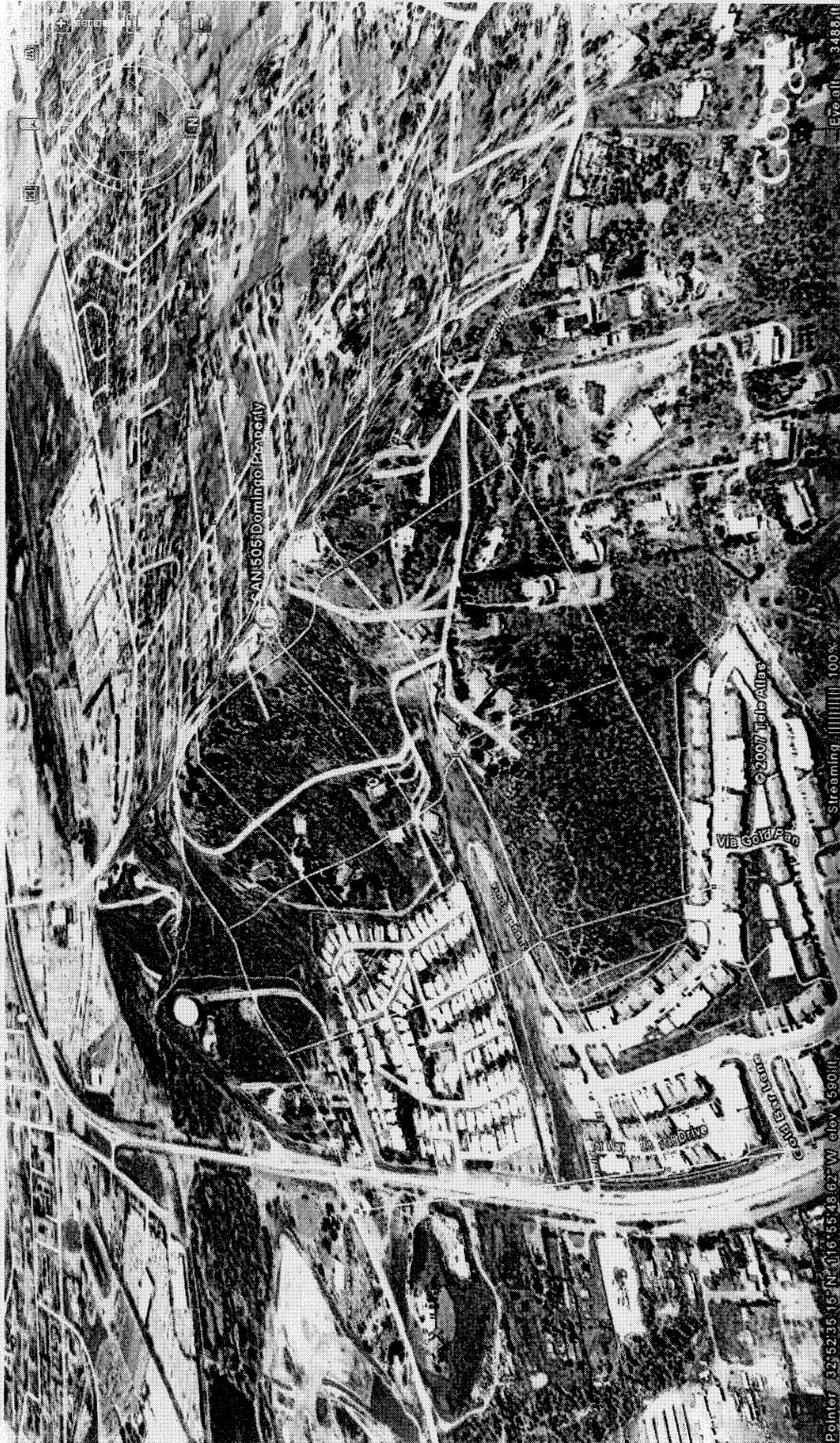


3D AERIAL – NORTH VIEW





3D AERIAL – WEST VIEW



3D AERIAL – SOUTH VIEW

# Attachment D

## Environmental Documentation



# 5-44 NOTICE OF EXEMPTION

TO: Recorder/County Clerk  
Attn: Anthony J. Consul  
1600 Pacific Highway, M.S. A33  
San Diego, CA 92101

FROM: County of San Diego  
Department of Planning and Land Use, M.S. 0650  
Attn: Regulatory Planning Division Section Secretary

SUBJECT: **FILING OF NOTICE OF EXEMPTION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152**

Project Name: Domingo Residence – Wireless Telecommunication Facility; P07-018; ER# 07-14-015

Project Location: 10769 Valle Vista Road, Lakeside, CA 92040 (APN: 379-102-08)

Project Applicant: Cricket Communications, 4031 Sorrento Valley Blvd., San Diego, CA 92121 (619) 632-2569

Project Description: The project is a Major Use Permit to construct and operation an unmanned wireless telecommunications facility. The project consists of a 35 foot tall flagpole with three (3) panel antennas concealed inside. A small ground space directly southwest of the flagpole will support an 8 foot wide by 10 foot long by 8 foot tall concrete masonry unity (CMU) equipment enclosure with a red brick top. The equipment enclosure will be painted and textured to match the adjacent existing retaining wall of the on-site residence. The project site is located on Valle Vista Road in the Lakeside Community Planning Area, within unincorporated San Diego County. The site is subject to the General Plan Regional Category Current Urban Development Area (CUDA), Land Use Designation 1 (Residential). Zoning for the site is A70 Limited Agriculture. The site contains an existing single family residence that would be retained. Access would be provided by a driveway connecting to Valle Vista Road.

Agency Approving Project: County of San Diego

County Contact Person: Merry Tondro Telephone: (858) 694-3716

Date Form Completed: June 13, 2008

This is to advise that the County of San Diego Planning Commission has approved the above described project on June 13, 2008 (Item# 5) and found the project to be exempt from the CEQA under the following criteria:

Exempt status and applicable section of the CEQA ("C") and/or State CEQA Guidelines ("G"): (check only one)

- ☐ Declared Emergency [C 21080(b)(3); G 15269(a)]
- ☐ Emergency Project [C 21080(b)(4); G 15269(b)(c)]
- ☐ Statutory Exemption. C Section:
- ☒ Categorical Exemption. G Section: 15303
- ☐ G 15182 – Residential Projects Pursuant to a Specific Plan
- ☐ Activity is exempt from the CEQA because it is not a project as defined in Section 15378.
- ☐ G 15061(b)(3) - It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and the activity is not subject to the CEQA.

Statement of reasons why project is exempt: Pursuant to Section 15303 of the State California Environmental Quality Act Guidelines, the project is exempt from CEQA because it is an unmanned wireless telecommunications facility that involves the installation of Small, New Equipment and Facilities in Small Structures. It has been determined that the project is not in an environmentally sensitive location; will not have a cumulative effect on the environment; is not on a hazardous waste site; will not cause substantial change in the significance of a historical resource; and will not result in damage to a scenic highway.

The following is to be filled in only upon formal project approval by the appropriate County of San Diego decision-making body.

Signature: \_\_\_\_\_ Telephone: (858) 694-3716

Name (Print): Merry Tondro Title: Land Use/Environmental Planner

This Notice of Exemption has been signed and filed by the County of San Diego.

This notice must be filed with the Recorder/County Clerk as soon as possible after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than twelve months. Reference: CEQA Guidelines Section 15062.



## REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF  
CRICKET: DOMINGO RESIDENCE  
P07-018; ER: 07-14-015

June 13, 2008

**I. HABITAT LOSS PERMIT ORDINANCE** – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES  
☐

NO  
☐

NOT APPLICABLE/EXEMPT  
☒

The proposed project and any off-site improvements are located within the boundaries of the Multiple Species Conservation Program. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

**II. MSCP/BMO** - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES  
☒

NO  
☐

NOT APPLICABLE/EXEMPT  
☐

The proposed project and any off-site improvements related to the proposed project are within the boundaries of the Multiple Species Conservation Program. The project conforms with the Multiple Species Conservation Program and the Biological Mitigation Ordinance as discussed in the MSCP Findings dated April 18, 2008.

**III. GROUNDWATER ORDINANCE** - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES  
☐

NO  
☐

NOT APPLICABLE/EXEMPT  
☒

The project is for an unmanned wireless telecommunications facility and will not use any groundwater for any purpose, including irrigation or domestic supply.

**IV. RESOURCE PROTECTION ORDINANCE** - Does the project comply with:

The wetland and wetland buffer regulations (Section 86.604(a) and (b)) of the Resource Protection Ordinance?

YES  
☒

NO  
☐

NOT APPLICABLE/EXEMPT  
☐

The Floodways and Floodplain Fringe section (Section 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The <u>Steep Slope</u> section (Section 86.604(e)(2)(iii))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

***Wetland and Wetland Buffers:***

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year. Therefore, the project is in conformance with the RPO.

***Floodways and Floodplain Fringe:*** The project is not located near any floodway/floodplain fringe area as defined in the resource protection ordinance, nor is it located near any watercourse which is plotted on any official County floodway/floodplain map. Therefore, the project is in conformance with the RPO.

***Steep Slopes:***

Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are steep slopes on the property; however, the project site is not located within the portion of the parcel with steep slopes. Therefore, the project is in conformance with the RPO.

***Sensitive Habitats:***

Sensitive habitat lands were identified on the site as determined on a site visit conducted by Merry Tondro on January 16, 2008. However, the project will not complete any development, grading, grubbing, clearing, or any other activity that will damage the sensitive habitat lands. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the Resource Protection Ordinance.

***Significant Prehistoric and Historic Sites:***

Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs by County of San Diego staff archaeologist, it has been determined that the project site does not contain any archaeological resources. Therefore, the project is in conformance with the RPO.

**V. STORMWATER ORDINANCE (WPO)** - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES

☒

NO

☐

NOT APPLICABLE

☐

The Department of Planning and Land Use (DPLU) and Department of Public Works (DPW) staff have reviewed the Stormwater Management Plan (SWMP) For Minor Projects submitted to the County of San Diego on December 21, 2007 and prepared by Cricket Communications for the proposed unmanned wireless telecommunications facility in the Lakeside Community Planning Area within the County of San Diego. This document complies with the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (WPO, Section 67.817).

**VI. NOISE ORDINANCE** – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES

☒

NO

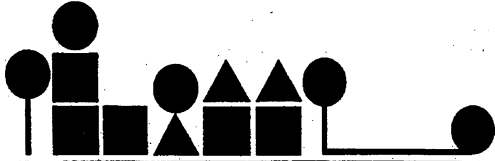
☐

NOT APPLICABLE

☐

The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

There are no current existing wireless facilities on the project site. However, in the future, an additional wireless facility may also be located on the project site. Attenuation by distance calculations show the proposed Sprint/Nextel HVAC condenser units will generate noise levels as high as 40 dBA at the eastern property line. This potential noise level is well below the County Noise Ordinance nighttime property line sound level limit requirement of 45 dBA (Section 36.404). Therefore, with or without any additionally cell site facilities within the project site, the proposed Sprint/Nextel wireless facility will meet the property line noise level limits of the County Noise Ordinance (Section 36.404).



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**COUNTY OF SAN DIEGO • DEPARTMENT OF PLANNING AND LAND USE**

April 18, 2008

To: File

From: Merry Tondro, Project Manager

RE: P07-018 Domingo Residence Wireless Telecommunication Facility;  
Conformance with the MSCP Subarea Plan

The project proposes to construct and operation an unmanned wireless telecommunications facility. The project consists of a 35 foot tall flagpole with three (3) panel antennas concealed inside. A small ground space directly southwest of the flagpole will support an 8 foot wide by 10 foot long by 8 foot tall concrete masonry unity (CMU) equipment enclosure with a red brick top. The equipment enclosure will be painted and textured to match the adjacent existing wall. The project site is located on Valle Vista Road in the Lakeside Community Planning Group, within unincorporated San Diego County. The site is subject to the General Plan Regional Category CUDA Current Urban Development Area, Land Use Designation (1) Residential. Zoning for the site is A70 Limited Agriculture. The site contains an existing single family residence that would be retained. Access would be provided by a driveway connecting to Valle Vista Road. The project will no require service by sewer or water imported from the Padre Dam Municipal Water District. No extension of sewer or water utilities will be required by the project. The project site is located within the Metro-Lakeside-Jamul segment of the County's Multiple Species Conservation Program.

Staff has determined the proposed project is exempt from the California Environmental Quality Act pursuant to CEQA Section 15303. Projects found to be exempt from CEQA are also exempt from the County's Biological Mitigation Ordinance (Section 86.503 (a)(1)). Therefore, the project is not subject to the requirements of the Biological Mitigation Ordinance. However, no project within the MSCP County Subarea Plan, regardless of exemption status, may conflict or otherwise hinder the MSCP preserve system.

The project is consistent with the MSCP Subarea Plan because the portion of the parcel where the project is proposed does not support sensitive habitat or wildlife. The project site is adjacent to the on-site driveway and is currently occupied by non-native landscaping. The project site is directly adjacent to a single family residence and less than 100 feet from a high voltage transmission tower. Furthermore, the proposed project has a very small footprint and would therefore not be a barrier to wildlife use of the area.

Based on the above facts, staff has determined that the proposed project will not hinder or conflict with the County Subarea Plan. No take authorization for incidental or deliberate impacts to state or federally listed species is granted with this determination. While no impacts to listed species are anticipated based on staff's review of the project, the applicant is responsible for ensuring that none occur and/or appropriate authorization has been obtained.

# Attachment E

## Public Documentation

**LAKESIDE COMMUNITY PLANNING GROUP  
P.O. BOX 2040  
LAKESIDE, CA 92040**

**RECEIVED**

JAN 22 2008

San Diego County  
DEPT. OF PLANNING & LAND USE

M. Tondino

January 18, 2008

Project Planner  
Department of Planning and Land Use  
FAX 1-800-407-6777

Subject: P 07-018

The Lakeside Community Planning Group at the meeting of January 16, 2008, reviewed the Plan submitted.

The following action was taken.

**Private Action:**

P 07-018, Major Use Permit for a proposed Wireless Communication Facility consisting of a 35' flagpole with integrated panel antennas and a pad mounted equipment cabinet. Project located at 10769 Valle Vista Rd.

R. Clegg motion to approve but only American flag at top with California flag below if desired, with proper flag procedure and maintenance and proper night-time lighting or raised and lowered at night. W. Allen 2<sup>nd</sup>. Vote: 11-0-0-4

Submitted by  
Julie Bugbee

*Julie Bugbee*  
619-443-5969

# Attachment F

## Ownership Disclosure





COUNTY OF SAN DIEGO • DEPARTMENT OF PLANNING AND LAND USE

**APPLICANT'S STATEMENT OF DISCLOSURE OF CERTAIN OWNERSHIP  
INTERESTS ON APPLICATION FOR LAND USE AMENDMENTS  
AND PERMITS PURSUANT TO ORDINANCE NO. 4544 (N.S.)**

The ordinance requires that the following information must be disclosed at the time of filing of this discretionary permit.

- A. List the names of all persons having an *interest* in the application.

Cricket Communication

_____	_____
_____	_____
_____	_____

List the names of all persons having any *ownership interest* in the property involved.

Justin & Krista Domingo

_____	_____
_____	_____
_____	_____

- B. If any person identified pursuant to (A) above is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

_____	_____
_____	_____
_____	_____

- C. If any person identified pursuant to (A) above is a non-profit organization or a trust, list the names of any persons serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

_____	_____
_____	_____
_____	_____

**NOTE:** Section 1127 of The Zoning Ordinance defines Person as: "Any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."

**NOTE:** Attach additional pages if necessary.

\_\_\_\_\_  
Signature of Applicant

12-20-07

\_\_\_\_\_  
Date



DPLU-305 (04/03)

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CA 92123-1666 • (858) 565-5981 • (888) 267-8770

**SDC DPLU RCVD 12-21-07**

**P07-018**

# Attachment G

## Land Use Analysis

**LAND USE ANALYSIS****I. Planning/Design Issues****A. General Plan****1. Regional Land Use Element**

The proposed project is subject to the Regional Land Use Element Policy Current Urban Development Area (CUDA) and General Plan Land Use Designation (1) Residential.

The project, as proposed, is consistent with the General Plan because it proposes an unmanned telecommunications facility and minor impact utilities are anticipated in the CUDA Regional Category and (1) Residential Land Use Designation. Civic uses are allowed if they support the local population. Therefore, the project is in conformance with the policies of the Regional Land Use Element of the General Plan.

**2. Community Plan**

The goal of the Lakeside Community Plan is to preserve the rural atmosphere and enhance the sense of spaciousness within the community.

The proposed project is for an unmanned wireless telecommunications facility which includes the construction and operation of a 35 foot tall flag pole with three (3) panel antennas internally mounted. The proposed project will serve the needs of the local population by improving the countywide telecommunications system, and is designed so as not to detract from the community's rural residential character. The proposed project would not impact agricultural uses nor would it impact scenic viewsheds. The proposed project has been designed stealth and is therefore consistent with the Lakeside Community Plan.

**B. Zoning****1. Density**

The project will not result in any additional residential density on the site because the proposed use is non-residential.

## 2. Wireless Telecommunications Facilities

The project is subject to Section 6980 of the Zoning Ordinance, which regulates Wireless Telecommunications Facilities. The project meets the standard application requirements, general regulations, and the design regulations for wireless facilities. The project is a non-preferred location in a non-preferred zone. Pursuant to Section 6986B of the Wireless Telecommunication Facilities Ordinance, the applicant provided an alternate site analysis and discussed preferred locations in the area and why they were not technologically or legally feasible. Due to the camouflaging of the facility and the lack of preferred zones in the surrounding area, the proposed project has been determined to be preferable due to its aesthetic and community character compatibility.

## II. California Environmental Quality Act (CEQA)/Resource Protection Ordinance (RPO) Issues

### A. CEQA

The proposed unmanned wireless telecommunications facility is exempt from the California Environmental Quality Act as specified under Section 15303 of the State CEQA Guidelines for the reasons detailed in the Notice of Exemption dated June 13, 2008, on file with the Department of Planning and Land Use.

### B. RPO

1. Slope: Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the RPO. There are steep slopes on the property; however, the project site is not located within the portion of the parcel with steep slopes. Therefore, the project is in conformance with Section 86.604(e) of the RPO.
2. Floodplain: The project is not located near any floodway/floodplain fringe area as defined in the Resource Protection Ordinance, nor is it located near any watercourse which is plotted on any official County floodway/floodplain map.

## III. Other Issues

- A. No other issues have been identified.